WESTERN ACTION

NOV. 15¢

HARDROCK MARSHAL OF HAYES

by Rex Whitechurch

NEW BOOK-LENGTH NOVEL

A DOUBLE-ACTION MAGAZINE

Amazing New LOW PRICED Electric Sprayer For Home Use Makes Painting Easy!

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WESTERN ACTION

VOLUME 14 November, 1949 NUMBER 1

BRAND NEW BOOK-LENGTH NOVEL

Hard-Rock Marshal Of Hayes

By Rex Whitechurch 8

It was a strange destiny that led Matt Timberlake into Hayes to have a lawbadge pinned on him by a girl whose burning ambition was to bring in Matt Timberlake!

SCAR HORN ..... Homer F. Borst 82

Lucky Jones didn't want to see Scar Horn shot down . . .

SUCKER'S SET-UP ..... Ward Raymond 87

Hoss thief Jonas just wouldn't cash in while he was ahead!

SIX-SHOOTER MAGIC ..... Harry Van Demark 93

Captain J. W. McCormick had a trick that never failed . . .

Robert W. Lowndes, Editor

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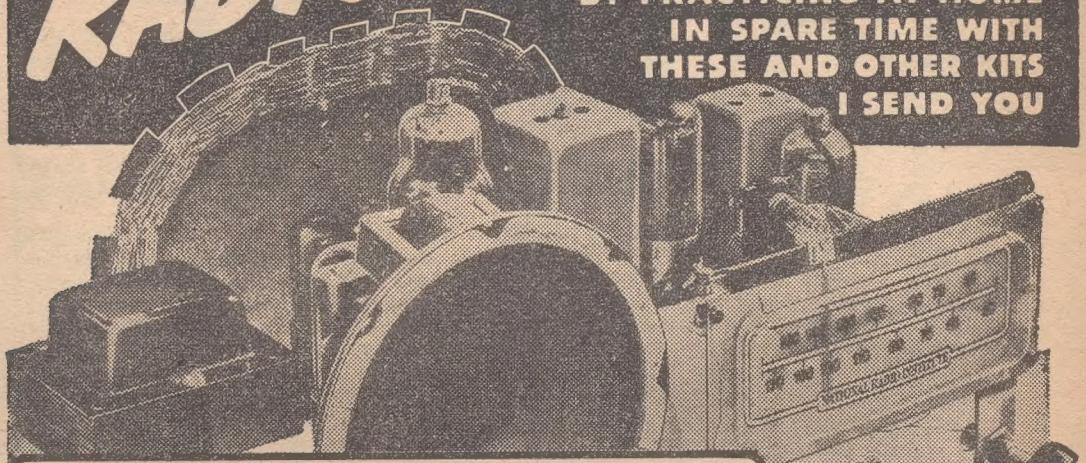

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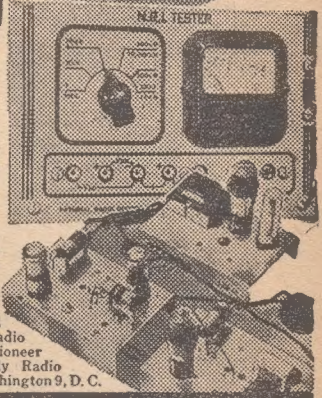

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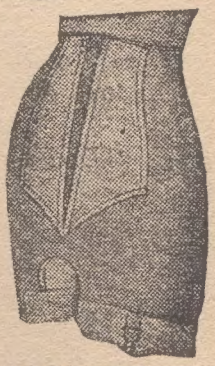

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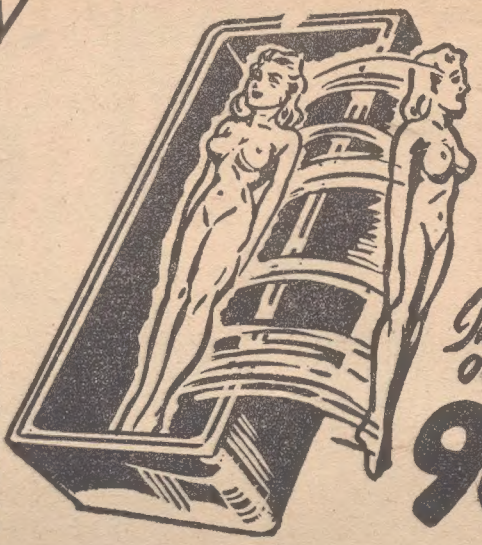

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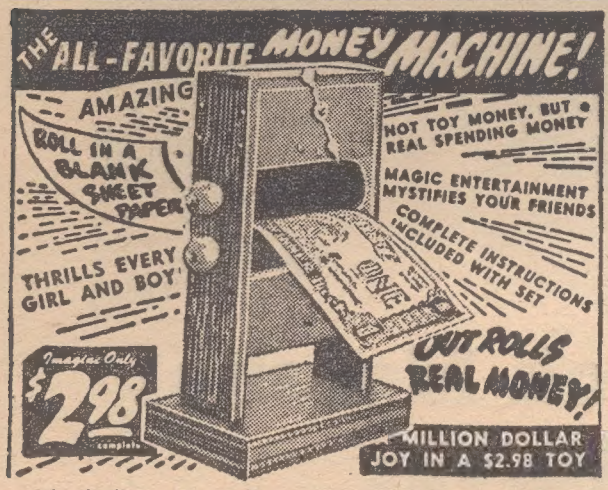

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Timberlake was suddenly fighting for his life.

Hard-Rock Marshal of Hayes

by REX WHITECHURCH
(author of "The Last Badman")

Wild Bill Hickok had cleaned up Hayes, but Hickok departed, and little by little, the owlhoot clan drifted back to make Hayes again a robber's roost. The James boys favored Hayes, as well as lesser outlaws. And, almost as much feared as Jesse and Frank James, was the notorious Matt Timberlake. Thus, Fate laughed and laughed hard the day Timberlake helped Zelda Ware capture a minor outlaw, and followed her into Hayes to have a law-badge pinned on his by chest by Ben Moffett, the sinister boss of the town . . .

Brand New Book-Length Novel

Complete in this Issue

IT HAD RAINED during the morning but now the sun was burning the prairie grass with a branding iron. Sweat stood on Matt Timberlake's broad-boned face. His blue cotton shirt was wet and stuck to his deep chest. His dungarees clung to his knees and he could have rung water out of his neck scarf. The small pinto climbed the ridge facing the red disc. Timberlake's eyes ached despite the lowered brim of his sodbuster. It was mid-day; the meadows on his right were barren of cattle, a good crop of hay was growing there. A mile beyond an old line cabin, the rider came to a log-and-stone stage depot.

He watered his horse, fed him, and entered the building. Timberlake ate his dinner slowly, relishing the food. He'd been hours a-saddle. He passed through a bar-room, stomped out and sat down on a bench by an open window in the log end of the depot. Fanning himself with his hat he lingered, dreading to return to the fire-hot trail. Two men rode up and went inside, passing close to him. Matt studied the strangers carefully, decided they were law dodgers.

Their voices reached him from the steamy dining-room, but he couldn't make out what they were saying; something warned him to be careful. There was a five thousand dollar reward offered for him, living or dead.

He left the station covertly, and outside rolled a cigarette. The flame in his cupped palm showed the lines in his face. His eyes were cool and gray. A man appeared at the well near his pinto and dipped a drink out of a brass-bounded pail.

The man paused, the dripping gourd held to his mouth. The way he stared at Timberlake made the latter uneasy. When he refused to meet the stranger's gaze, the fellow turned his head. Matt's spurs jingled on the baked earth as he approached his pinto. His movements were casual when he removed the nosebag to put it away in a saddle pocket. He got the reins, looped them over his hand and hoisted himself into the saddle. He did not again look at the bug-eyed stranger.

Timberlake had to ride past the man at the well. He mopped sweat with a bandanna to shield his face, let his mount walk in the dust of the trail. Even when he reached this, Matt's gait was a casual one. The fugitive from the law had made a close observation of the person who had watched him covertly ride off. He would remember the face of the unknown. Light sandy hair and a hooked nose, a wide bitter mouth and slim, pale hands, marked him with a distinctive brand. He had the laced down guns of a professional killer.

The stage road narrowed as the bandit climbed another ridge. On Matt's left was a ravine, quite shallow, running zig-zag into a fiddling creek. On either side of the water was a clump of small cottonwoods. The silver splash in the red sunbeams were vivid strokes of color on the backdrop. A wagon-bridge rattled when he rode across the loose planks. The hollow echoes reverberated through the silence. Timberlake rode on across the stream. When he glanced behind him he discovered he was being followed. The man with the sandy hair was letting his roan pick his way leisurely along the trail.

Hedge now appeared, fenced in hay and verdant meadows. Cattle and horses grazed on the abundant uncut crop. Timberlake saw another line cabin. He circled this and, out of sight of his shadow, he inspected his saddle carbine. The danger of meeting a lawdog had increased and he was ready. He was the most sought after owlhoot in the west. His instincts had been sharpened for the kill.

The sun's ruby glitter was at his back on the far side of the shack. The ache in his eyes was eased by the shade of the cabin's back-wall. Matt could smell decayed wood, sweating grain and the verdure around him. He did not wait but cut across the field and rode out into the trail again. Through the dust he saw his follower had disappeared.

In the distance at what he judged was Hayes, Kansas, he located with his probing eyes a red wooden water tank and a red-and-yellow frame depot. Mist hot as fire and bright as scoured silver made a transparent curtain between him and the trail town. Again Matt looked behind him, one hand on the carbine. Still there was no sign of his pursuer. He urged the pinto on through a rugged but level country solidly settled with farmers.

The sleepy quiet of late summer cloyed around him, but he didn't relax his vigilance. His horse compromised on a lazy pace. Timberlake sat his Spanish saddle in a slack muscled posture. He was four inches under six feet tall. He had wide shoulders and big arms. His weight was approximately one-seventy, but it was distributed weight which didn't make him bulky. He had long, slim hands. His face was wide at the cheek bones, sloped to the chin. His short nose had been broken but it didn't handicap his appearance. Angling over his left cheek was a white scar, like a pale thread had been used to stitch the wound closed. Matt Timberlake was thirty four. His gray slitted eyes were furtive and there was toughness in his face that men respected. A remote smile hovered around his hard mouth.

DANGER HAD never left him for long at a time. Matt was so well accustomed to it he was seldom surprised, no matter what happened. His brown hair curled around his flat ears. The wind sucked at his hat but the black chinstrap held it moored to

its place. The stiff brim refused to be broken by the new onslaught he met on the last hill-top.

Therefore, when a shadow moved and lay still on the road his nerves did not cause him any trouble. When the red-haired girl's glance touched his face, its raw edge distasteful, his remote smile gave her nothing to dwell on. He reined in and the pinto reared up and settled back almost upon its haunches. The dust whirled over them. Timberlake held to the saddle-horn and let the reins lay slack to the bits of the ornamented Spanish saddle.

She urged her roan closer and when she grinned through the golden dust her white teeth sparkled. But the grin was deceptive; her voice chilled him because it lacked warmth. "You see a man up the road? He's got sandy hair and is small of build."

"Mebbe." Matt pulled at the white disc on the yellow string of his tobacco sack. He removed the poke from his shirt pocket and rolled a cigarette before he said anything more. He decided the girl was quite pretty, but ice was pretty when it turned rainbow colors in the sun. Her full lips were cherry red. He shielded the flaming match in his bent fist and it lit up his face. He found her more interesting the longer he studied her.

Her hair was redder around the edges falling below her Stetson. Her right hand, small and shapely, clutched a quirt with a loaded handle. In the tight fit of her red shirt her bosom seemed deep and firm. She had the pale skin of a redhead, and he judged there were a dozen freckles around her tipped-up nose. Her eyes were the color of juniper berries, but they were cold even in their sheen.

"Thanks." He saw her draw a carbine from the saddle boot. "You'd better not stick around to be in on it. You're looking at a woman who is about to kill a man. It's what she considers her duty and she doesn't want any interference. Did you ever kill a man?"

"Four of them." Matt's face was solemn and the smile was gone. It reappeared in a flash, however, and his eyes studied her closely. "But not by ambush—not without a chance to defend themselves and make their peace with the Almighty, Miss—"

"I don't like the way you talk," she snapped, irritable because of her serious intentions of carrying out her threat. "You sound like a preacher. Are you a sky pilot?"

He shook his head. "No," he told her. "I'm an outlaw."

Maybe she had steeled herself against being surprised, too, by anything that happened. Her lips parted and her dazzling teeth were revealed, moist, even and white. Her eyes narrowed and he got the first peep of the sun in them. He knew she was breathing deeply because her bosom rose and fell again and her shirt moved. She got hold of herself then and bowed mockingly.

"I'm glad to meet a bandit who admits his calling. But—" her eyes were brighter than the sun now. "Well I was about to say I don't like to joke about such things. You could be Matt Timberlake, but he wouldn't admit being an owlhoot. If you were Timberlake I'd run at sight of you. He's as bad as Jesse James. I don't believe half what I hear about Matt Timberlake, but he's bad enough. The man coming up the grade back there—he's a bandit, too. But he kills for the fun of it; he's not like Timberlake. Allow me to tell you who I am, Mister owlhoot. I'm Sheriff Tom Ware's daughter; I'm a deputy."

He nodded and the same old smile curved his taut mouth. "Go ahead and kill him. Just don't fail to fetch him down first shot. You owe it to those freckles to give them a chance."

"Owlhoot!" The smile she gave him was coy but hard. "Little boy playing robber. Hope you don't tell that to the wrong person. They might not like the color of your eyes." She skewed round on her roan and squinted down the barrel of the carbine. Suddenly, with speed that wasn't noticeable, Matt pulled the gun down, spinning his horse so he was in front of her. "I can tell right now you've never killed anyone," he said. "You don't know what it is to have it on your mind; you're too young to know about things like that. Better think it over. If you want me to help you take him alive and kicking, I'll go in

it with you, pardner. But—don't kill him like this—"

She tugged at the carbine but Timberlake wouldn't release the barrel. Her round face hardened and he saw a pink dimple in the cleft of her chin. Besides, the freckles were more prominent and he found he'd underestimated their number. They'd fanned out until they were all over her face and two of them were larger on her cheeks than on her nose. They were the papa and mama freckles. She was breathing hard and her eyes were hot with the sun now.

"I warn you I'll brook no interference." Her voice was strident, lashed him. "You're violating the law. I'm an officer and am about to perform my duty in the only sane way I know. The fugitive riding toward us is the fastest gunman in the west. He has friends in our town who will help him escape jail if we lock him up. We don't have a deputy who can meet him or who will meet him, face to face. He has killed other men like I aim to kill him; do you think killing a rattlesnake would haunt my conscience?" She jerked the gun free and again levelled it at the hill-top, sighting down the barrel.

MATT TIMBERLAKE waited no longer. He spurred his horse and the pinto shot up the hill, the keen clop of his hoofbeats pounding dust and rhythm together. The rider bent forward in the saddle, lay almost flat until he'd topped the ridge. Then he reined in, stood erect in the saddle and jumped, all in one motion. Scarlet flame seared his face, gun thunder burst like a cannon ball and almost split his eardrums. The next thing Timberlake knew he was battling for his life in the sweat and dust and blood that his efforts had so swiftly aroused, the gore coming from a wound in his neck where the flesh had been cut on a jagged stone, the sweat from his straining, heaving muscles, the dust from the roll of their interlocked bodies. First on the bottom, then on the top, Timberlake found himself pushing his antagonist away, by shoving against his chin with both hands. The sandy haired man jumped up and kicked at him, and Matt caught his boot and brought him down again.

His rawhide agility was more than a match for the tough wariness of his antagonist. Matt used a trick he'd learned in a saloon brawl and, with the man under him blind from his prodding thumbs, he wasn't long smothering the body flat on the ground. He held both arms out as far as they would go, pinning down the wrists. Their horses milled around them and poked the dust into a screening blanket. Matt tasted salty blood.

"All right, let him up," the girl's voice said. "I've got him covered. I'm a good shot and he can't beat me with the head start in my favor. You're a pretty good man, Mister Owlhoot; I guess mebbe you saved his life."

Long afterward Timberlake had occasion to remember her words. No, not the words themselves, but the admiration and deep appreciation that lay submerged in their warmth and gentility.

"You can have him," Matt said. "Better let me hogtie his hands so you won't get hurt. From what I've heard of Sandy Hart, he's bad medicine."

She watched him in silence until he'd made the captive secure against escape and then she smiled again, her eyes being full of mirth." So you've heard of Mr. Hart, too?" She frowned then and the light left her eyes. When Timberlake mounted his nag and turned his back to her, she called softly, "If you ever need a friend look me up. You'll find me at the county jail."

* * *

HAYES, Kansas, was similar to a thousand towns in the west. The street was a brown ribbon between low buildings whose falsefronts and heavy wooden awnings were badly in need of paint. Matt Timberlake rode past a blacksmith shop, caught the burning smell of forge fire which made a rank stink on the summer air. The sun was still busy and made rosettes on plateglass and silk of the ankle deep dust. A huge cottonwood stood in the middle of the street and spread shady branches over the rooftops. Saddle horses

nickered here and there at pole racks, and the yawning maw of a stable was a darker blurb, with a joquil lantern hanging on a peg inside. Two men sat on a bench and whittled sticks. Along the high board walks, grass grew in sparse bunches. Neither man noticed the stranger.

He simply said to the hostler, "Put my nag up for the night. Be sure he's watered. I looked for water-troughs but didn't see any."

The attendant scratched a bald head and pinched the tip of a long nose. He adjusted one overall gallus. "Tain't strange. Ben Moffet owns th' stable, th' saloons and th' store over there where you see them loafers on th' porch. Ben don't believe in givin' nothin' away. You have to put your hosses in th' stable or water them in th' creek. I forgot to tell you, Mister—Ben Moffet owns th' bank, too."

Timberlake frowned. For a minute the remote smile left his lips. The aged hostler waited. He said, "Goin' to change your mind about puttin' up?" He cocked his head sideways and peered at Timberlake.

Matt shook his head. "Not so's you could notice it with your naked eye," he answered. "But—what about the courthouse and the county jail? Does Moffet own them, too?"

The oldster grinned and showed toothless gums. "Jist about. I'll reply by sayin' he's th' law, th' whole law and nothin' but th' law. What he says goes. Tom Ware, th' sheriff, is a hireling. Ben elected him and he elected th' judge; Ben's th' high potentate."

Timberlake went along the walk until he met another street coming out of the west, crossing the north and south thoroughfare and running straight east. On the four corners stood a saloon, the jail, the courthouse and a newspaper office. On east about one hundred and fifty yards was the depot, beyond this the water tank and beyond the water tank the open fragrant prairie. Matt went on north to the hotel and, as he mounted four steps to the porch, he turned and saw on the other side of the road a brick building with a sign in gold paint on the window. It said, *Ben Moffet's Bank.* In smaller gold letters were the words: *Money to loan. Four percent. Capital—one hundred thousand dollars.*

A clot of riders loafed around the door of a saloon, one of them at the edge of the walk, holding the bridle reins of a big Morgan. The man had on canvas leggings. Another fondled a sawed off shotgun and two carried rifles. Timberlake could not see them well enough to distinguish their faces but the way two were dressed he knew he'd seen those two men at the stagecoach inn. Evidently they were waiting for something to happen, possibly a signal from across the street, for all watched in that direction. Suddenly a long-shaped figure stepped out into the dust, climbing down off the walk in front of the newspaper office. He hoisted his hat, waved it and the loiterers made a scramble for their horses. The lone figure in the street whirled quickly and swung into the saddle of a small roan hitched not ten feet away from the building he had just left. Kicking up a fog of silken dust the cavalcade raced toward the intersection. All were shouting like Indians and waving their firearms.

Matt remained in the shade of the awning but his eyes sharpened on the faces of the horsemen. The tall man seemed to be the leader. The small roan ran at least ten feet ahead of the pack.

The James gang!

Matt Timberlake would've known the James boys no matter where or under what circumstances he saw them.

The rider on the small roan was Frank James; the smaller of the two he had seen at the stage station was Jesse James. Here were two of the most notorious outlaws the world had ever seen, and already both were stepping swiftly into legendary prominence.

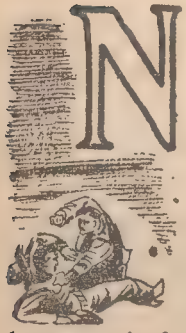
Timberlake moved catlike to the edge of the porch. Just then Frank James, holding the bridle reins in his mouth, dragged out heavy Colts and sent a thundering volley of pistol shots straight in the air. Jesse swerved away from the close packed riders and rode at a dead run along the sidewalk, so close to Matt the latter felt gravel showering his face.

Then the staccato beating of the

horses dimmed and the bandits raced out of sight. Looking up and down the wide street Timberlake saw a dozen people parked on the plank walk in front of the *Hayes Saloon*; two spangled women and a pot-bellied man in a stovepipe hat drawing his first interest. Down the short flight of stone steps leading from the bank stumbled a man in shirt sleeves. He waved at the crowd and scurried across the street through the spiraling dust, to the newspaper office. He darted inside and those in front of the saloon began moving violently in that direction.

Turning round, Matt stomped into the hotel and two minutes later was along in the shelter of a poorly furnished room over the street. He uttered a deep sigh, dropped down on the bed, and from his twisted, dust caked mouth fell a mumble of words, "Well, I'll be damned—"

2



NOBODY in this town made any movement toward pursuing the outlaws, or toward the newspaper office, until at least ten minutes after the daring bandits had disappeared. When Matt Timberlake again stepped into the street in front of the hotel everything was as silent as the new Boothill across the tracks from the depot.

He'd surprised a bunch of rustlers at work in the valley south of Hayes and knew the town was full of renegades. The rustlers had been busy branding cattle belonging to the XX Ranch, a big concern that shipped thousands of cattle to Kansas City and St. Joe stock markets. They had mistaken him for a lawdog and he had been put up against it, to defend himself against the outnumbering cow thieves. A few shots had been exchanged and they'd given him a close call. There was a singed place across his scalp where a slug had burned through his hair.

Getting out of the wooded clump in which he had taken shelter Matt used his carbine, with horses dashing at him and the rustlers hell-bent to have his life. The tree behind which he had stood was full of leaden pellets when Timberlake inspected it later on. He had remained there, hard to get at, dangerous because of his accurate markmanship. Finally the rustlers, moving a herd of some two hundred cattle, had gone away and left him. He'd heard the thunder of the hooves and seen the swirling, choking dust swallow renegades and their stolen loot. Two of the band lay stretched out on the ground about fifty yards away. He crawled to them. careful, because he was afraid of an ambush.

In the pocket of the first one, a robust cowboy with a pock-marked face and yellow buck teeth, was a bankbook. *Ben Moffet's Bank*, and on deposit for this victim of Timberlake's superior gunskill was a hundred dollars. Other items connected with the Moffet bank came to light. An advertising mirror and a jacknife with *Moffet's Bank* printed on the handle. When he inspected the second dead man, Matt discovered the very same kind of items in his pocket; he shrugged this off as a coincidence and stomped back to his horse. That was yesterday; by now the buzzards had the carrion they'd screamed over before Timberlake left the scene.

* * *

TIMBERLAKE strode across the street in the dust to the saloon on the corner. He pushed open the batwings and walked straight to the mile long mahogany bar. It was shaped like a coffin and would accommodate fifty men at a time; they didn't have to jog elbows to stand there. The walls were gaudy, with naked women and an Egyptian dancing girl in a whirling nude dance. The vivid hues of the paintings brightened the spacious room. Games were going on along the back wall, roulette and faro and poker. The smoke was banked against the low ceiling and came floating down. At a piano sat a spangled woman on a flat bench. She had her legs crossed and a drink in her hand. Suddenly she

pivoted about and began to play or chord *Marching Through Georgia.*

Matt took his whiskey and strolled across the saw dust covered floor. He paused near the piano. The blonde dancehall girl let her fingers run idly over the keys and, looking at the fugitive from justice, switched to another number. *"Tell Mother I'll be There—"*

She then quit playing, skewed about and, crossing her red stockinged knees, peered up at the outlaw. "I think I've seen you, cowboy. I figgered so the minute you come through the door. You was ridin' in a stagecoach with me when it was robbed by a masked man." She put her fingers to her lips and appeared to be thinking deeply, then startled, she glanced quickly back at Timberlake. "Or maybe it's your eyes and the hat you're wearin'. Mebbe you're the bandit who robbed the stagecoach. I—"

He laughed and said, "Don't imagine things. I think if you've ever seen me it was in Dodge City at the hotel there. Remember?"

She turned red and, lowering her head, turned back to the piano. She played rapidly and Matt sauntered on, knowing she was right. She'd seen him in both places, at the hotel the night before he robbed the stage and—at the holdup. He quickly left the room.

* * *

Timberlake was not curious except for what had occured in the unpainted building housing the newspaper and the man who had run across the thoroughfare from the bank and who had excitedly disappeared inside the office. A new group of riders rounded in at the saloon, but Matt saw them only as obscure shadows, even though they stomped about and talked and gestured to one another.

When he sauntered along the walk he kept his eyes alert. It was the man who had appeared at the door of the newspaper office who caught and held his attention. He had seen this short, thickly-made figure before on one of his previous trips to Hayes, and knew he was looking at Ben Moffet, czar of Hayes, the supreme ruler, the big shakes, the man who had everybody in the community quaking in abject terror and whose word was law. Anger burned deeply within Timberlake as he watched Moffet pause and remain motionless under the wooden awning.

Moffet had a broad, high cheek boned face. On his thick upperlip was a small line of black mustache. His slitted eyes were of the hue of ebony. His white shirt sleeves ballooning out of a black broadcloth vest were spotless. Matt saw him when he moved out of his lethargy and started for the jail. He waited until the boss of the town had gone inside, then quietly folowed Moffet's tracks to the door. Yellow light came from bracket lamps on the walls. A girl's silhouette was flashed darkly against the white plaster. She was the sheriff's red-haired offspring, the girl whose courage had astounded Timberlake.

Their voices reached the eavesdropper. Standing there, Timberlake let the cigarette pasted to his lower lip remain unlighted, hardly aware of it. He was poised like a huge catamount, ready to spring at the slightest warning of danger. However, neither the streetlamps nor the saffron mist from the open door touched him.

"Fine note." growled Ben Moffet. "The James boys ride in and order the editor of our paper to stop printing stories about them we can't prove and which they argued ain't true. They rode through our streets like a bunch of Comanches, fired their guns and otherwise created a rukus just to show us their defiance. And what happens? Why, we don't have any lawmen big enough to go after them; we don't have anyone to offer resistance to such gangs, and pretty soon they'll begin to prey on us because they're not afraid of getting in trouble in Hayes. Other lawless bands will frequent our community, rob, pillage and ride away—mebbe rob my bank. All because our sheriff's too old and too weak to do anything. We've got a sheriff who ought to don petticoats since he leaves most of his dangerous work to his daughter."

STRIDENTLY the girl answered Moffet. She advanced a step.

Now her shadow fell across the walk. By moving one foot Timberlake was standing on her outlined figure on the planks.

"So what, Mister Moffet. I get what I go out after. Today I fetched in one of the most desperate criminals that ever operated around Hayes. He's back there in a cell right this minute. What do you expect one man to do? Why don't you appoint a town marshal, one with guts and gunskill, to relieve my father of some of the heavy responsibility of enforcing the law in our town. Are you too stingy to pay out a hundred dollars a month for a good man?"

Moffet lit a cigar, scratched the match on the wall. The flame illumined a hard, severe face, pale and lined but not altogether unhandsome. He dragged in a deep breath, exhaled smoke and said in a softer tone, "Show me such a man as you describe and I'll hire him quicker than you can count ten. Haven't I tried to import a capable man? Do you know of anyone in Hayes big enough for the job?"

"Yes," she snapped, jerking her head up proudly and quickly, "I do know of such a man. I don't know his name, I only remember what he was like. I'm not saying you could hire him, for he mightn't never come to Hayes. But I'll bet he wouldn't be afraid of the James boys, nor Matt Timberlake. If it came to a showdown he'd face them, those three worst bandits in border history. In less than ten minutes I found out that much about him. Surely there must be others of the same breed."

Listening, Timberlake heard her walk across the floor, the clack of her leather heels, the jingle of her spurs. Her shadows vanished, there was a moment of silence.

Ben Moffet moved also. He stomped over to the wall and Timberlake could see his large, pokey face. The man's eyes glittered in the radiance of the lamps. He puffed furiously at his cigar. "Look," he rasped. "These reward posters. Ten thousand for the James boys, five for Matt Timberlake. We know they've been here, all three of them. And they rode out unharmed and free and without anything to worry them. I don't know anything about Timberlake, except for the usual information concerning his description. There's no picture, nothing to make his identity definite to us. That's the condition we live under, with the law of the west a creaky machine not competent to cope with the lawless elements that prey on the pioneers. You show me a man such as you pictured for me and I'll hire him in a minute."

At this point Timberlake struck a match to his cigarette and walked boldly into the room. He pretended surprise at seeing the girl, doffed his hat, aware of the sharp stare from Moffet and the expression of thrilled surprise that crossed the redhead's comely face.

"I didn't expect to see you again," she said, after a pause. "I was just telling Mr. Moffet about you. We are certainly fortunate to have you with us, Mister—Mister—?"

"Jannings." Matt's voice was soft, polite. He grabbed the first name to occur to him. "But—I don't see why you figger you're lucky to have me come along. I was just going to ask the sheriff if he had any work for a professional lawman. I need a job. I can do janitor work."

Her blue eyes looked at him in a puzzled fashion. For a minute she didn't say anything and the clock on the wall ticked with thudlike swings of the pendulum.

"You're hired." She turned to the banker. "Mr. Moffet, this is the man I told you about. He captured Sandy Hart, did it without any help. We owe him our gratitude. I think you said a minute ago you'd hire him to be our town marshal. Have you changed your mind,"

"He's hired." Moffet ran his eyes slowly over Timberlake's short strongly made figure and found the way he wore his guns, thonged down. They were expensive Colts. His cartridge belt was one of the best to be had. Several times Moffet nodded approval. Then he said, "Get him a badge, Zelda; he can start working right now." He turned to Matt Timberlake. "I'm the mayor, Jannings. What I say goes in Hayes; you'll

come to me for your orders." And suavely he added, "and your money."

Matt saw Moffet skew around and go out through the door, stepping lightly and, he thought, a little covertly. On the walk, Moffet spun to face Timberlake. He spoke sharply, "This isn't an easy job. The town's wild. Some of the worst renegades come here. Tonight we had a visit from the James boys. You know about them. But—you said you needed a job, and we've accomodated you. You'll make the county jail here your headquarters. If Tom Ware needs you, lend him a hand. He'll make you a deputy sheriff so you can act out beyond the city limits. Good-night and the best of luck to you; I'm sure you'll need it."

Matt Timberlake watched him move across the walk and disappear.

"Maybe you don't know it," said Zelda, "but you've got one chance in a thousand of living thirty days."

THAT REMOTE smile hovered around Timberlake's mouth and the bronze skin crinkled into crows feet at the corners of his eyes.

He backed up against the wall, placed one shoulder against it and rolled a fresh cigarette. It didn't matter, he thought. His past hadn't been easy. "I still want that badge," he said. Once a long time ago—not too long—he'd worn a badge. That was before his raw nerves and bitter disappointment because of a woman's deception had demanded whiskey before they'd stop pounding his brains out. And it was months before he'd robbed his first stagecoach. Alone he'd followed the owlhoot; alone he'd fought the law, trusting nobody, confiding in none, with his secret burning night and day like a furnace fire. No, it didn't matter. All through the yesterdays he'd struggled against his conscience, hating himself, promising each day to take a boat for South America where he'd make a new start and try to undo some of what he had done—

Zelda crossed complacently to the battered desk he saw against the wall with the reward posters pasted to the white plaster above it. She slowly opened a drawer. She produced several badges, gold and silver and pewter. It seemed she was searching for a certain emblem of authority and wouldn't be satisfied until she'd found it. When she held it up in her broad, sturdy hand, he saw it was a small gold shield which caught and cast off the yellow beams of the lamps.

"You'l be proud to know," she said, "that Bill Hickok once wore this badge; he gave it to my father. If you prove to be half the lawman he was while he was here in Hayes, you'll justify my confidence in you, Jannings."

The smile faded from his thin lips, left his face brooding and immobile. He could don this mask when the occasion was rife; it shut in all his turbulent emotions. There were times when, if he'd been a trifle smaller, he would've cried.

"I must be crazy," Timberlake said to himself hours later in the quiet of his hotel room. "Taking a lawman's job, with a price on my head. I can't think of any quicker way to commit suicide. But—" He could see Zelda Ware's eyes looking at him, dazzling like Texas stars on a dark night, and her voice tinkled like the muted strings of a mandolin he'd once heard in Old Mexico.

A couple drunken cowboys were singing under his window. He rolled over, shut his eyes and, after what seemed hours, fell into a relentless sleep.

WESTERN Kansas, the end of numerous long cattle drives, Abilene, Dodge City, Wichita, Hayes City, all these trail towns had become paramount points in the fast growing country which valiant pioneers had opened up, after long treks in covered wagons, over mountains and across Indian-infested plains. The Santa Fe, the Oregon, the Cimarron, all these trails had been followed and were still being followed by long strings of freighters and schooners of emigrants who bravely wagered their lives to achieve the gold and silver fields, the virgin soil where plow shares had never made furrows, where wheat had never been planted.

Coupled with the perils of savage

hordes, bent upon murder and pillage, activated by bitter resentment against the interloping whites, were the roving bands of renegades who, despite long years of living in civilized climes, were worse than their red brethern who had been swindled and robbed of their birthright. Embittered men and loose women, attracted by the lure of gold, had flocked to the new states with determination urging them on, to wrest from others the fortunes their evil minds coveted.

The west was a flaming magnet that glittered and dazzled and tempted and lured the fortune hunter. It was the Bagdad, the Oasis, the Aladdin's Cave, full of rare finds if you were lucky enough to locate them. It took sacrifice and strength and determination, and if you didn't have any of those qualifications, well maybe luck would help you and lift you up by the bootstraps onto a pedestal.

Yea—the west, rumbling with stagecoaches and squawling teamsters, devoid of the conveniences you found elsewhere. The mode of travel was the fancy Concord, with hard seats and handstraps to keep you from falling out if the going got too rough. Dust to spoil your new suit and to cake on your face and collect on your headgear. And later on, the trains, chugging over steel rails across the prairie where wild buffalo roamed and often threw the trains off schedule. Steel tracks put down on bloodsoaked earth and spikes pounded into thick ties of wood with the sun blazing down on barebacks. Vast herds of cattle moving tediously through that dust and the heat of the sun, and mounted men screaming themselves hoarse and glad when camp sites were found for the night.

The shrill whistles of the iron demons that appeared out of nowhere and cast their eerie echoes over the empty spaces. Indians with bows and arrows and war-paint and even late model firearms, and wagon trains curving around mountains and rolling through valleys as green and fresh as Kentucky bluegrass. Sacrifice and courage and resolution had built the west, and it took all these and more to maintain the pregressive stride it had acquired.

Don't forget the law—the law was amusing in its aspects. There came the vigilantes, gunfighters, killers, rustlers, train-robbers and renegades who preyed on the cumbersome stagecoach. The badge polishers were there, too, strange men with iron hearts and steel guts, ready to serve their warrants in the teeth of death. Some of those lawdogs lived as outlaws, some changed to a respected calling. There was a very thin line to seperate them from the badmen who rode long trails and were free from danger only when the nights were dark and the stars dim—and even then they were far from safe. These men who had stepped across the line from either side were hard to contend with. The crooked marshals fought just as valiantly for the maintainance of peace as they'd fought to violate the canons of the law. They had Bat Masterson, Pat Garrett, Bill Hickok, the Earps, Ben Tompson and others—many others of the same noble breed.

Moreover the law had such men as Matt Timberlake who had become so steeped in crime he was catalogued alongside of the James boys, Sam Bass, Billy the Kid and Belle Starr, not to mention the wily Daltons. But it is doubtful if they had a single star polisher who accomplished more good than Matt Timberlake, or a single owlhoot who perpetrated more law violations. He was a combined lawdog and a confirmed outlaw.

Hayes, Kansas, had begun by being tolerant of these masked knights of the long roads who took their money where they found it and spent it where they happened to stop for a rest. But the own had become so overrun with renegades the respectable citizens had pooled their finances and imported Wild Bill Hickok to run the bad ones out of Hayes. Hickok had served a short term, jailing many, killing a few. He'd been gone now only a short while and the fugitives from the law had returned, bringing with them many new faces. The rats poured into Hayes because the cat was gone; they'd built a good jail to house the criminals and they'd built a good courthouse to try them in and the sturdy cottonwoods around the town offered convenient

scaffolds, a saving of time and expense, which the embattled citizens used as often as such were needed.

However, the owlhoot began at the edge of town and the long riders collected a severe toll, leaving the inhabitants of the community in fear. Cattle rustlers, road agents, grain thieves and divers outlaws came and went and took what they found wherever they found it. Hayes was not alone; other frontier towns were suffering, too.

One of the men who had helped build this great empire of the west was Samuel T. Timberlake, a colonel in the Union Army, a lawyer, an Indian fighter and gold seeker who had found a fortune and who had spent it abundantly to bring vast improvements to the country. This man had settled in Kansas City when the town was known as Westport Landing and there, with his wife, he'd reared his family—two daughters and a son. The latter, Matthew Timberlake, had attended law school but had declined to enter the profession. Instead he'd ridden west where, in quest of adventure and forgetfulness, he'd drifted from the course his father had earnestly hoped he'd follow.

IT WAS SIX o'clock when Timberlake awoke with the sun in his face. He washed, combed his hair, unpacked a small leather satchel, donned a clean blue shirt and went to the window to breathe the fresh warm air that came in to rustle the musty-smelling lace curtains.

He stood a long time looking out over the expanse of prairie that met his probing eyes. The town had not fully awakened. The sidewalks were deserted; there were no vehicles or horses in the street, except for a single pony at the rack in front of John Cole's *saloon*. It was getting hotter every minute and Matt enjoyed the peace, the silence, the sun-stained vista beyond the squatting falsefronts.

When he walked out into the hall, Matt turned to lock his door. It was close, almost stifling in the gloom of the hallway. Sweat formed beads on his face and the smell of dust was strong. He heard men snoring in the seclusion of their rooms. A baby cried and a woman's tired voice spoke softly to the infant. He paused, then went on. He felt he'd been aroused from a particularly fantastic dream. But instead of daylight dispersing this effect it sharpened the reality of the situation. He was a full-fledged officer of the law, armed with badge and authority to enforce the peace, and there was no dream about it.

When he moved covertly down the hall, this more from habit than any fear he felt now, he saw an open door and at a blinded window with peep holes cut in the shade, crouched a man with a rifle in his hands. Startled, Timberlake paused, stared at the figure again and waited, unable to move on because the spectacle was something so out of the run of things he couldn't overcome his curiosity.

He could tell the man was tall, stoop-shouldered and had long hair; he was in his shirt sleeves and Timberlake could make out the open collar as well as the tense, alert attitude of the watcher. What was the meaning behind this strange scene? It was dramatic, positively theatrical, until the new marshal of Hayes remembered that, directly across the street stood the bank—Ben Moffet's bank—with a capital of one hundred thousand dollars.

Suddenly the man at the window whirled, glanced at him and the gun came up in a threatening motion. He half bent forward, and now the marshal could see the intense brightness of his slitted eyes. He was an old man, with a deeply wrinkled face and white hair that hung in a braid down his back. His hands were thin and blue veined and covered with hair. Timberlake knew the least motion on his part would've brought death from the spout of that Winchester.

"Needn't be disturbed," he said softly. "I'm the new marshal of this town, appointed last night. My name's Jannings and I'm a lodger at this hotel. I guess I work for the same man who pays you, friend."

The oldster saw the small gold badge that Matt had pinned on his left shirt pocket. He nodded, satisfied apparently, and showed a row of white buck teeth, marred only by

stains of tobacco. "Reckon so, if you're th' new badge polisher, Jannings. Heard they was tryin' to get one with guts and gunskill. Ben Moffet hires me to stand at this window twelve hours at day. He's always afraid of bein' robbed and I reckon it's a smart idea. You see, from my vantage point I could pick off a dozen men before they could get on their horses if they stuck up th' bank. Besides, I live in this room and seldom go out. I've had this job a year and it's always interestin'. My name's Harve Tanner; I used to be assistant marshal of Abilene."

Matt had never heard of the man, but he nodded politely and stepped into the room. Strange he wasn't afraid of being recognized. But they didn't have much to go on; he'd planted some false pictures in police files over the country, and they didn't have his exact likeness to help run him down.

"I've been in Abilene," the marshal said. "But tell me something of the lay of the land here. I understand Ben Moffet owns lock, stock and barrel of Hayes. Everything but the railroad. Is there anything he doesn't own, Tanner?"

The old man scratched his jaw, a long, lantern-shape with a mole on the left side of the chin. He had seen this man Tanner before, only right now he was unable to remember where they'd met. But he had a faint impression of having once before shaken hands with Harve Tanner. This disturbed him; he felt a thin wave run along the fine wires of his nerves.

"Own everything? Well, just about. I reckon you can exclude the gal he wants to marry and John Cole's saloon. John's a little fat man who was here before Ben came along, and Ben can't budge him. He stayed on in face of Ben's opposition, refused to sell out to the boss and struts up and down the street, surrounded by four gunslicks he imported from Texas. His wife's Mattie Collins, a sleek young beauty who is after Johnny Cole's fortune and don't mind puttin' up with the old hardhead for the stakes she's drawin' for. John wears a stovepipe hat and has a potbelly, but there ain't no fat on his brain. It's up to Ben Moffet to see nothin' happens to him, 'cause if there was, such for instance as a murder, why Ben would be accused of it and mebbe th' outside lawmen such as U. S. Marshal Hickok, might be attracted to Hayes. That's because John's got th' Hayes post-office in his buildin', next door to his saloon. See what I mean, Jannings?"

The fugitive marshal smiled remotely and rolled a cigarette. He'd have to manage to meet John Cole and his wife, Mattie Collins. He'd simply have to form their acquaintance, for anyone who was smart enough to get the government to put a postoffice on his premises and make him postmaster just for protective reasons, was certainly one intelligent dude. Matt Timberlake liked brains, no matter where he found them; those capable of holding their own against heavy odds won his respect.

"What girl does he want and can't get?" The lawman peered closely at the guard near the shaded window.

"Zelda Ware," snapped Harve Tanner. "The sheriff's daughter, a pretty redhead that's got a way with men. I've seen them follow her around and beg for her smiles. You don't know just how powerful she is, Jannings—and a better girl never lived. Men love her, women hate her. Take Mattie Collins—she despises the ground Zelda stands on; yes, sir."

"And Ben Moffet wants her." Timberlake walked slowly to the door. "Well, be careful. If you need a friend, my room's just down the hall, 113."

"You're not superstitious, are you?" Tanner was gazing at him curiously. "I'm not either; don't believe in that tommyrot. But—you've got the room won't nobody else take, even for a night. Guess they figger you're a stranger."

Timberlake laughed and moved cautiously down the hall, to the steps. As he reached the bottom of the short flight he saw a man run out the front door. A minute later the drumming of the other's bootheels on the walk resounded through the spacious lobby of the Commercial Hotel.

3

THE BIG man who had run at sight of him was not in sight when Timberlake left the porch and sauntered along the planks, through the lonely quiet of early morning. But tension clutched the marshal in a strange vise and he was unable to break this taut feeling despite his efforts. He was mystified, but he recognized the signs of danger. Too much experience had made him wary, even when things were running smoothly. Peace controlled the empty thoroughfare. Frame buidings and windows were shabby in the rose glow of the sun. He could see the sign on the print shop now, *The Hayes Herald, Doc Gallop, owner and editor.* Up ahead of him was an alley. He saw scattered straw where something had been removed from a case. He passed a saloon, where a bartender was scrubbing the floor, caught the rank smell of whiskey.

He was still wondering about the covert man who'd fled the minute he'd appeared in the hotel lobby when he reached the corner building beside the alley. Timberlake lifted his head, cast a quick glance behind him and discovered he was being followed. Two men were strolling casually in his wake, keeping to the street along the walk, wading dust. They had made no sound.

When Matt skewed quickly around, one man made a swift motion toward his heavy shell belt. A gun flashed. The bullet which came in crimson from the spout, broke the plateglass window and whistled past Timberlake. A shower of glass hit his face, some cutting the flesh and drawing blood. Warm and sticky it ran down his cheeks. There was a caustic burning over his right eye.

Before the second shot echoed through the street the new marshal of Hayes was in the alley. The slug tore slivers from the corner of the falsefront and again his face received the onslaught. Now he could hear both men running toward him and one of them said, "We can't let him get away!"

Coldly Matt waited, no longer tense. He was nimble in his movements. The Colts roared in his two fists; he dropped one of his antagonists to his knees in the raw dust. Timberlake inched a step forward, pounding lead and flame. His surviving opponent in this strange gun duel, stood with spraddled legs. His head was bowed and he fanned his gun. It was a crazy, jerking stream of fire spearing from his Colt. Scarlet sparks rose and dropped out of sight. Slugs spattered around Timberlake; one took a chunk out of a window casing on his left and the splinter burned against his cheek. He felt a vicious tug at his hat-strap. It jumped against his chin. The bullet had gone through the crown of his sodbuster. He yanked his head down, strained his slitted eyes through the belching black smoke from the other man's Frontier model Colt.

The man on his knees spat crimson, started to crawl erect; but he couldn't make it and just settled down on his face. Timberlake stepped closer to the gunfighter who was trying to kill him and felt the sole of his left boot on the gun the unlucky one had released from his bending fingers. This almost unbalanced him. And—it saved his life. He felt the slug rake his forehead and a little trickle of warm blood ran down his face.

Then antagonist facing him had run out of loads; he hurled his gun at the marshal, started to run, but changed his mind and swept back in fighting, having caught Timberlake within striking distance and off guard. His first blow smashed against the lawman's chin and sent him reeling. Timberlake had never been hit so hard in his life; it seemed a million stars fell out of the sky. Now Matt used his fists, driving them into the face of his catapulting enemy. He drove him back with a hard left that knocked the fellow's hat stem winding. The latter almost went down. Sweat dripped off Timberlake and

stuck his cotton shirt to his chest. He missed a blow and his antagonist shot his fist to Timberlake's chin.

The latter's head went back against the wall of the building and he thought his skull had been caved in. When he bounded off the wall, Matt had both hands working. They stood there slugging a minute. The wind sawed out of Timberlake's chest and his legs were growing weary. But he knew he had enough strength left to beat his antagonist if he could find his face with those ripping lefts. He got one through the other's guard and brought him to his knees. But instead of going down, the man threw his arms around the marshal's knees and pulled himself erect, stumbling in a run halfway down the valley. He carried Timberlake with him. They wound up wrestling against a drain pipe on the wall.

They hit each other and grunted, and blood dripped from both, glistened in dots on the gravel. There was small indication to Matt Timberlake that his opponent would give up; he was rawhide tough and used to brawling with his fists. He was four inches taller and his reach was longer, but his speed didn't match Timberlake's and the latter got over more blows that counted. The town marshal had become a shifting target. Their boots slid over the ground and scattered gravel. They started wrestling again, and blood ran warm in the corners of Timberlake's mouth. His enemy kept trying to get his hands on the throat, and Timberlake knew his arms had grown so heavy the couldn't use them effectively.

They went to their knees again and got up, their muscles straining against each other. The marshal changed places with his antagonist. He maneuvered to plant his back to the wall, succeeded, and shoved the man away from him. When he came sweeping back in, Timberlake hammered a killing blow at his jaw.

Running backwards the man hit the wall across the alley. The blow had been a destroyer. Bubbles of crimson showed on his lips. The wind rasped and sawed out of his abused lungs. He came down hard, threw his arms out widely as he fell, and didn't stir after hitting the straw littered floor of the alley.

WHEN HE got his wind back, Timberlake moved heavily to the body of his unknown enemy and took the latter's measurements with cool eyes. The beaten man was an inch over six feet and wide as the proverbial barn door. He wore dungarees, leather leggings and a soiled blue shirt open at the throat. He had a mop of iron grey hair, with a few threads of amber running through it. When Timberlake turned him over and studied his face, he knew he'd never seen the man before.

Matt did not have time to inspect his other foe. Blood had spotted the gray work shirt and there was no movement in his chest. He was smaller than his companion, red-headed and dead. Timberlake knew he was dead before the crowd surrounded them and started making wild exclamations. "Strangers to me," said the marshal, coldly sizing up the mob who had appeared mysteriously and suddenly to encompass him. "Had to shoot him. The other man's in the alley. He's out but he'll come to. I'd like to have some of you fellows help me get them away from here. We'll haul the big one to the calabose; his partner belongs in the burial parlor."

As he moved back to the alley he heard a man say, "Cool one, ain't he? Tough, too, judgin' by th' way he handled hisself in this rukus."

"Ben bragged about gettin' a good man to clean up his town. 'Low he made good on his promise." The speaker was bearded, dark and dusty. "Wonder who he is?"

"Mebbe some gunhawk from Texas," said the first man. "Ben's got money enough to hire th' best. Well, he's shore a tough hombre, if you ask me."

Timberlake shook the man he'd bested in the fist fight. The latter had reached a sitting position and had his back to the wall. "Get up," snapped Timberlake. "We have a place over at the lockup for you if you want to rest. Besides, we'll do a little talkin' when we get there. Make it pronto, pardner."

The crowd had followed the marshal into the alley and now they

backed away. The renegade glowered at the lawman and dabbed at blood which kept running out of his mouth. He finally managed to reach his feet, staggered off a step and turned to face Timberlake. "Charley out there was drunk. We set up all night with a jug of likker and he got too much. He pulled on you 'fore I knowed what he was goin' to do; I had to help him when you got your guns to workin'. That's all there is to it."

Timberlake wondered, doubted the man's story but found it hard to make a decision. If the other's story were true, then he had no grounds upon which to arrest him. If he went ahead and hauled him in he would beat the rap in court and leave a black mark against the town marshal. He paused, hesitating and then heard a man say, "Damned if he ain't right, boys. Charley Hoyt was always gettin' his snoot wet and mean as hell when he was pickled." He faced Matt Timberlacke. "Marshal, he's shootin' square with you; I'd bet my hat it was Charley who caused th' whole blamed thing to happen."

This decided the lawman. He said evenly, "Start walkin', Mister. If you're in town at sundown I'll cart you in and lodge a complaint against you. The other man—the one you call Charley—started the fireworks."

"'Nother thing," added the bleeding man, "we didn't know you was th' law. Ben must've hired you last night. If I had known you wasn't just some hombre lit up like Charley Hoyt, I wouldn't have drawed on you, That's th' truth."

Matt Timberlake, thinking about his close call to death, stomped off down the street toward the county jail. This job of town marshal wasn't going to be any picnic. No telling what would happen next. He shrugged and, as he moved slowly along, rolled a ryestraw cigarette.

THE GUNFIRE had rolled through the streets like thunder and brought the sheriff and Zelda Ware awake. Although the whole thing had taken less than ten minutes, both were dressed and ready to investigate the cause of the disturbance when he reached the frame building. They had their residence behind the county jail, and they were in the office. Pale lemon-colored lamplight from the walls reflected by steel brackets painted their worried faces when Timberlake crossed the threshold.

"What did they do—up there?" Trouble made her voice harsh, but the same softness was in Zelda's eyes that he'd surprised there once before. Her face was motionless, a couple threadlike lines deep around her mouth. The fresh redness of her lips was vivid even at this early hour. A scarlet spot showed in each cheek. He thought of a bright flower growing up out of the dew-covered verdure, standing proudly to reach the sun.

"They didn't do anything," he said. "One of them is dead. I let the other man go. They tried to kill me. The dead man was Charley Hoyt. Do you know Charley Hoyt?"

She came closer to him, edging around the oldster who now was stiff and dignified near the desk. He was smallish, his shoulders sloped, round and without strength. He had a sweeping white mustache. There was no hair on his head. Clad in levis and a black shirt, with a heavy cartridge belt sagging around his waist and a star on his shirt, he stood waiting, something eager in his mild blue eyes. Heavy white brows and high cheek bones and skin like brown leather full of wrinkles drew a second glance from the new marshal.

"I'm Tom Ware," he said, extending a hand that was large and blue-veined. "Since my daughter had forgotten to introduce me—"

Timberlake seized Ware's hand with an eager grip. "I guess maybe I've stunned her with this young morning's news. I'm glad to know you, sheriff."

"We know Charley Hoyt," she exclaimed. "He was no good; I've arrested him a dozen times. He was mean and always drunk. So—you killed Charley Hoyt. Who was his companion. Did you find out his name, Jannings?"

Matt hadn't done this. It troubled him now to think he hadn't. But it wouldn't be difficult to rectify that mistake. She agreed with him, pacing the floor nervously. He saw how

small she looked, how girlish. Ware left the office and stomped out in the dust. The brassy light was stronger beyond the open door. A blacksmith was hammering on an anvil somewhere close by. Doors had begun to open and close and a wagon passed the jail, the wheels creaking, the driver coaxing his horses to hurry.

Zelda Ware pushed him down into a chair and washed the blood from his face. She brought a vial of brown medicine and painted a cut here and there, standing back presently and placing her hands on her hips. She stared at him, nodded and explained that the cut over his eye was deeper than the others. "I'll have to hurry back and help Mandy with breakfast. She's our cook and housekeeper. You wait here. You'll hear a bell behind the jail; when it rings come running. Are you a heavy coffee drinker?"

"I am," he said, with the remote smile deepening around his mouth.

"How do you like your eggs?"

"Straight up." He almost laughed, she looked so serious about everything. She glided lightly to the door, turned back. "You've killed your first renegade," she said soberly. "No doubt they'll stay their distance now. I'm glad to hear you won the fight because there were several shots fired. As long as you wear that badge don't go to sleep. We've got some bad men in Hayes; there's bound to be resentment. They don't like to see too much law hanging around. It's not going to be easy. Jannings."

"You can call me Dave," he said. "That'll simplify matters."

It was the name by which Timberlake had gone in Dodge City; he'd learned to like it and had accustomed himself to answering to it. Alone. he sat there, his long legs stretched out in front of him, leaning back in the swivel-chair, his eyes clamped upon the open door.

A thousand thoughts went through his mind but he didn't let any of them lodge there. Mostly they had to do with his new position. Only the thoughts of Zelda Ware remained and wouldn't allow themselves to be brushed lightly aside. Matt curled a cigarette, struck a match on his thumbnail and cupped it to his face. He was like this when the man walked in. He held the flaming match a second, then flicked it away. His eyes coolly scanned the newcomer's face. Blond and wide of shoulders, handsome in a rugged way, clad in neat white shirt and black trousers that fit his legs like boots, a Colt on his right side leathered down, a wide belt heavy with cartridges, steel gray eyes, completed the picture. The flat black sodbuster was strapped on, the black line disappearing under a strong, defiant chin.

Their eyes met, locked and neither Timberlake nor the man who had furtively stepped through the door out of the glare of sun, removed his level bisecting gaze.

Matt Timberlake felt a taut strap encircle his chest. He knew danger when he saw it—and if he had ever seen danger before he saw it now. Belligerent, embattled danger, ready to strike, greedy to take a severe toll. Having seen enough, Timberlake dropped his gaze; he was watching the gunfighter's hands.

4

"SOMETHING I can do for you, Mister?" Timberlake studied his visitor, his mind working clearly and swiftly without giving the man a chance to read his troubled mental state. "Come on in and take a chair."

The newcomer did not move out of his tracks. He placed a shoulder-blade against the door-jamb and reaching for tobacco and papers, rolled a smoke. He licked the paper, gave it a quick twist at the end and lit it. He nonchalantly poked the bag back in his shirt pocket and inhaled and exhaled before he answered.

"I'm Bob DeSpain." His voice was deep, throaty, tranquil. He was showing a mask, too, and it was a veritable poker face. "I dropped by to see Zelda Ware. Got some news she might be interested in. I just blowed in from Abilene. Bein' she's not here, I might as well tell you, since you're wearin' the badge of town marshal. I have learned through sources I don't care to mention that Matt Timberlake's in this neck of the woods. It seems he was spotted heading this way. You'd better be on the alert, friend; just tell Zelda Bob DeSpain said so. She's real anxious to get hold of Timberlake not for the reward, but for better reasons, such as riddin' the country of the worst varmint that ever robbed a stagecoach. You see she gets the information and you make use of it yourself. Of course you know what he looks like."

The words although calmly uttered were not without their violent significance. The immobile line on Timberlake's face deeped almost imperceptibly. However, the mask he'd donned did not betray him to the others casual gaze.

"Who's Matt Timberlake?" Matt drew up his long legs and sat erect on the chair. He propped his elbows on the desk and watched the negligent posture of DeSpain who had all the earmarks of a professional gunslick. "Never heard of the jasper. I'm new here, came from Texas—the Panhandle. Is this so-called varmint anything out of the ordinary, Mister DeSpain? How much is the reward?"

The gunhawk did not move. He reached up and lifted the cigarette from his mouth, looked at it a second and raised his eyes again to meet the lawman's. There was more steel in DeSpain's eyes now than there had been a minute ago. "Timberlake and the James boys are the worst bandits the west has ever known. Timberlake's as bad as Frank and Jesse; if anything he's meaner and more elusive. Every lawman in the country wants Matt Timberlake. He bears a charmed life, operates single-handed. There's only one thing about it; he never kills until he's jumped. In a corner he's a hundred wildcats all in one bundle. He's fast with his guns, deadly and don't show no yellow. If you tackle him be sure it's when you've got a pack of possemen at your back."

Timberlake nodded and did not feel any thrill at being so described. "Now about his description—?"

"If you don't know, I'll tell you." DeSpain thrust the cigarette back in his thin gash of a mouth and speaking slower than before, said, "I'd say he looks a whole lot like you do. He's about th' same height and build. He's got gray eyes and his hair's straight, without any curls in it. He's got a white half moon scar on his left cheek. You've got one, too; you'd make a good double for him. Better not go monkeyin' round in this community where you're not known to be what you represent. If you do, some itchy fingered lawman might get a notion you're Timberlake and cut down on you with his irons. 'Course I know you're not him, but I'd be kind of cautious." He skewed round from the door-jamb and, with a quick flick of his tumb and forefinger, arched the cigarette out into the street. "Well, that's all I can do for you, so I'll be hustlin' along. Good day, marshal."

* * *

REWARD

The United States Government will pay $5000.00 for information concerning the undersigned man, who is wanted for bank robbery, train robbery, mail stagecoach holdups or for violation of other Federal statutes. This man was last heard of in vicinity of Dodge City, Kansas, and might be heading for Hayes or Abilene. Communicate with your nearest U.S. marshal.

REWARD
MATT TIMBERLAKE

Fugitive from Justice...

The blond gunman who had just left Timberlake at the sheriff's office, paused and tacked his sign to a telegraph post at the edge of the sidewalk; he used the butt of his hickory handled Colt for a hammer and pro-

duced the tacks from the breast pocket of his white shirt. He rolled up the remaining posters and placed them in his left hand hip pocket, backed off and stared at the placard a moment, then nodded approval and sauntered off. As he edged away in the sunlight he cast one covert glance behind him, letting his gray eyes stab through the sheen of the sun's shield and explore the open door of the jail. The doorway was empty and he frowned, paused again to curl a cigarette and then, with this burning, stomped over the planks toward the depot.

The man posted the thin cards all over town and wound up near John Cole's *saloon*. It was almost noon now and he was hungry. The heat was excessive and, coming off the plateglass windows the sun's rays were blinding. Only in the shade of the awkward looking wooden awnings was there relfef from the heat.

Bob DeSpain crossed the walk and entered the saloon. Four men sat at a poker table near the front door and three other patrons had their bellies to the bar, drinking in unbroken silence. But all three of them, as well as the gamblers, hurled swift, side glances at the tall blond figure in the stiff black sodbuster. They sharply returned their eyes to whatever they'd been doing and the silence continued, not molested by the brief interlude. A fat barkeep nodded at DeSpain's lifted finger and placed a bottle and glass in front of him. He had his drink and stood there, one boot propped up on the rail, twirling a silver dollar into a long spin.

A sound of footsteps struck his ears, but he did not look round.

The woman was dressed in a scarlet velvet gown. Her shape was outlined against the orange glow of the crystal chandelier that swung down like a huge wheel from the center of the ceiling. She walked with a swinging step and in the bar mirror DeSpain could distinctly see her jet-black hair. She stopped within a foot of him and touched him with the tip of a bejeweled fan, diamonds sparkling on her long shapely fingers. When DeSpain turned to face her, his movement was slow and stalking and cool.

"Hi, Mattie," he said., "I haven't seen you for so long it's a rare treat to feast my eyes on your loveliness. How you stackin' up?"

She showed him the edge of a deceptive smile. Her eyes were black as ink and the tricky eyes of a designing woman. "What brings the U. S. marshal to Hayes?" she asked. "From the way the sweats caked in your shirt and the dust on your black hat you've been a long while on the trail. Can't be you heard the James boys were here yesterday?"

He did not show surprise. Stood there a minute staring away from her. He grabbed the dollar out of the spin and in the same motion and tossed it to the bartender. The latter brought the change over from the cash-register.

"No," he told Mattie Collins. He was looking straight into her eyes. He saw the black fire glowing there. Here was a woman who was under great emotional strain, held herself in check by exerting an iron will over her reckless desires. "I'm not astonished. Frank and Jesse James have been in Kansas Territory for some time now; they're as lucky as Matt Timberlake about getting away."

She smiled. "I've heard of Timberlake," she admitted ruefully. "A low, vile creature with murder in his heart—"

He interrupted her, his voice cold and unpleasant. Maybe it held a note of acrimony that bit deeply at her Vanity. "I wouldn't say that about Timberlake. He's in a class all by himself. He's educated. He once was a lawyer, or something of the sort. He came from a fine Missouri and Kentucky family. He's like a wraith of smoke; he vanishes with the same easy suddenness. He plays a lone hand. Besides, I've never heard of Matt going out of his way to harm anyone."

Her jet-black eyes widened. The almost transparent scarlet gown she wore stuck to her armpits where the sweat had left wet stains. Men had found her so alive and human they'd been drawn to her in droves. Always

she'd commanded attention. John Cole's brunette wife had never found a man who talked to her with such freedom of thought and sharpness of tone. Her smiles which she had so lavishly bestowed upon cowboys, gamblers and sodbusters alike, seemed cheap now that she was giving them in sincere admiration. "Let's go see Johnny," she said. "He'll be delighted to find the U. S. Marshal in town. DeSpain, you are his favorite lawdawg."

Bob DeSpain allowed himself to be led away by this Delilah of the dancehalls.

THE LAWMAN cast an observing eye over the room. He had found few saloons to equal John Cole's ornate establishments. The owner had spent thousands of dollars elaborating his castle of sin. Murals painted in garish hues colored the walls. An eastern artist had been imported to make these the best murals in the west. They depicted scenes from ancient history. Nero fiddling while Rome burned; Daniel in the Lion's Den; Salome dancing the Dance of the Seven Veils for her father; nudes in their bath, full-breasted large-limbed women with pretty faces. All these and more, in pink, with nothing left undone to enhance their vivid effect upon the most casual eye.

Roulette, blackjack; a faro rig-out, poker and dice tables, second to none in their elegance. An enormous chandelier with cut glass ornaments hanging down around the wheel, catching the smaller lamps' yellowish beams. A jonquil tint being reflected from the back bar mirrors where a tinted globe with reflector behind it, poured jonquil beams against the glass. And in the dancehall beyond a big arched door was one of the best dancehalls this side of San Francisco. A four piece orchestra played night and day, and the piano player had been shipped in from Europe and drew a staggering sum weekly for his musical endeavors.

They went up the wide steps, covered with a Brussels rug of a deep wine shade and thick enough to deminish the thuds of the hardest boots. They crossed the gallery and Mattie Collins rapped on a door marked, *Private Office.*

DeSpain smiled and removed his hat, but no sound came from the room beyond the thick door. The marshal cast a puzzled gaze at Mattie. She stood there, with a little color dying in her face breathing deeply; and DeSpain saw the red glow in her cheeks. Her clothes clung to her figure. Her hips were uncorseted; her arms were almost bare and her scarlet gown was cut low. She had long, shapely arms and a pearl necklace spanned her neck. She was young, but heavily painted. Before John Cole had married her she had been a percentage dancer in his dancehall back of the barroom. DeSpain remembered she'd said she was from Saint Joe.

The stillness beyond the threshold was so unmarred by sound DeSpain felt uneasy. He caught the knob and twisted it gently and found the door was unlocked. Again he peered sharply at his companion. Then his voice low, he said, "Something must've happened to John. Was he here when you came down the steps a while ago?"

"I don't know." Her tone was taut, troubled and there was a premonition in her black eyes. "I was back in the dancehall talking to some new girls who arrived last night from Kansas City. I have not seen Johnny for at least two hours. I only know he is usually to be found in the office, when he's through with the mail in the morning. But—of course there's no cause for alarm, Bob, nothing's happened to Johnny."

But DeSpain was not satisfied. He pushed the door open and stepped quickly inside the room which was in deep shadows. The lamps were not burning, and only the sun coming through the cracks in a blinded window showed the U. S. Marshal the fixtures and the man lying prostrate on the brussels carpet. Bending over him DeSpain could find no pulse. Then he saw the blood curling out from under the body and knew John Cole was dead, shot in the back.

Mattie Collins did not scream. She

strode to DeSpain's side and stood looking down at the white, motionless face of her husband. Death had left the half-closed eyes glassy. The mouth was slightly open and showed the tip of the dead man's tongue. Mattie Collins spun away from DeSpain, dropped on a chair near the big desk and softly began to cry.

"Johnny! Johnny! Who could have done this awful thing to you?"

Bob DeSpain's face got hard as stone, his eyes searched the woman and he thought he found her grief genuine enough to be convincing.

"Well," he thought, feeling deeply sorry for the man who'd been so foully slain, "I reckon my visit to Hayes is going to be longer than I expected. I'm going to stay in town till I run his killer to earth if it takes the rest of my life!"

* * *

A FEW MINUTES after the stranger had left the jail, Timberlake removed the cell keys from the wall and, walking toward a lamplit corridor, peered through the pale light. He made out the row of iron-barred rooms and, treading catlike, went slowly in their direction. Four of the cells were empty. The last one at the end of the hallway held the bandit captive, Sandy Hart.

The latter sat smoking a cigarette on an iron cot. He looked up with a severe expression flitting over his thin face. His slitted blue eyes showed nothing save malevolence for the man who'd paused outside his door. He shrugged his slim shoulders and picked up a newspaper beside him on a clean blanket. He spread it out with the cigarette pasted to his lower lip, made a pretense at reading it.

"You'll get your breakfast in a few minutes, Sandy," Timberlake said. "Sorry I had to muss you up yesterday. You made it the only thing I had left to do. The girl might've shot you off your horse; I reckon it's better to be in jail than in a coffin."

"Not to me," snarled the prisoner. "Life holds nothing but death anyhow. You figger the wrong way, lawdawg. I lost because I played a lone hand and didn't have no pardners to side me; it might've been a different ending if I had been sided, Mister."

"I've always heard you played solo." Timberlake found himself drawn to this man who was in the same position he had always dreaded to think of occurring to him. Those black bars were strong and they couldn't be sawed in two. The only way out of a can of that kind was through the door and that had to be open. A key to the lock was much more valuable than all the guns in the world.

"You know anything abut a fella called Bob DeSpain?" Timberlake kept all trace of anxiety out of his voice. He seemed just casually interested. "He's a tall blond with gray eyes and packs one gun, a Colt .45, with a picture of a pair of dice on the handle showing the numeral seven. I take it to be sort of brand or earmark."

"You mean the United States Marshal?" Sandy Hart's face paled. It was plain he didn't like the lawman's name. "Bob DeSpain, fast with that gun. He's planted a lot of lodgers in the hotel called Boothill with that lucky shootin' iron. Why, what made you ask?"

Timberlake felt his nerves pound with great force and a drum beat in his ears. However, he was too old at this game to tip his hand. "Nothing, except he was here while ago and I'm new on the job. He didn't say he was U. S. Marshal. Just told me his name. Funny I never heard of him. Of course I'm from the Panhandle—"

"He's after me." Sandy Hart rose jerkily and pounded the floor with his bootheels. "He's come to haul me in. Probably to Topeka."

"As far as I know," Timberlake said lightly, "he doesn't even know you've been picked up. He didn't ask any questions about you, fella. It appeared he was more interested in an owlhoot known as Matt Timberlake. Said something about Timberlake heading this way. Maybe he left town. The James boys were in Hayes yesterday and could be he's interested in them, too."

"Matt Timberlake." Hart paused, gripped the bars with both hands and spat out his unlit cigarette. "Well, if you ask me, he'd better leave that

fella alone. If DeSpain meets Timberlake and don't have nobody to side him he'll probably be planted in Boothill with some of his victims. I'd love to see that meeting, Mister."

Timberlake frowned, "Call me Jannings. Dave is better. Well, I'll see about your breakfast." He whirled back to look at Hart and saw a softer light in the little man's eyes. "They tell me you're right handy with a gun, yourself. I reckon they've got enough on you to make it certain you'll swing? Is that how you feel?"

"You know damned well I feel like that." Hart grinned and showed his buck teeth. He wasn't handsome but he had dynamite in his personality and shrewdness in his gaze. "They call me a merciless killer. I guess mebbe I am when I'm at bay. You've got to be. The very one you spare is likely to be th' one who gets you in the long run. Yep, reckon they're right. If I get out of here I'll kill again. But I'm not in th' habit of biting a helping hand, pardner."

TIMBERLAKE did not reply. He stamped back down the corridor and replaced the keys on the office wall. He hadn't needed them for anything, but it was good thing to know he didn't and where, when and if he ever did, he could find them.

Strange thoughts were in his mind. There was peril in remaining here with DeSpain on the scene. Sure, he'd heard of the U. S. Marshal; who hadn't? DeSpain had earned a fame that was singularly all his own. Hickok had pronounced him the best of western gunfighters. Cool, deadly cold, he had seemingly been born without nerves.

But Matt had formed a stern resolution not to go back to the owlhoot and he hated to submit to the temptation to flee. Besides, there was Zelda Ware's imploring eyes, her soft voice, the curve of her lips, and courage and honesty of her and all this got in between the thinking parts of his brain and stopped the wheel from turning. He was in a dark mood when he heard the clang of the bell in the dooryard of the Ware home.

The turbulent question which he couldn't answer was—how had Bob DeSpain obtained such an accurate description of a wanted man who had so painstakingly sought to confuse the authorities in that direction? Matt Timberlake knew he'd planted a dozen bogus pictures in the files of the official records in every state he had been in, and until now it had seeemed certain each officer was seeking a different-looking Timberlake.

He went out through the front door of the jail and closed it behind him. The sun was squarely in his eyes when he rounded the corner of the building. He strode across a green yard and stepped upon a little vine clad porch fragrant with flowers. Zelda Ware met him in the parlor and took his hat. She smiled and led him to the kitchen. They ate there, in a small room furnished with a large cookstove, a dining table set for three, with pink trimmed muslin curtains at the open windows. Birds chirped in the cottonwoods outside, that shaded the kitchen, and a red bird hopped upon a sill and stayed there until the meal ended. The steamy smell of the sunned hay came in.

Tom Ware was in the best spirits and carried on a rambling conversation. He avoided asking any questions regarding Timberlake's past, but he spoke of all the daring lawmen he had known and of the James boys, before he came to the man he claimed he was anxious to encounter, one Matt Timberlake.

"It's not that he's any bigger threat than the others of his ilk," the old sheriff said. "However, he bears a remarkable record and will no doubt go down in western history as the worst of the lot. The man's like a shadow; he's here one minute and he's not heard from again for a year or so. Then he turns up in some sphere miles and miles away, mebbe another state. They have come to blame him for a lot of crime he had no part in, just the same as they always think of Jesse and Frank James when a train is robbed. Timberlake is bound to get it in the end, but how soon?

Who'll be the lucky lawman to cabbage onto him? I hope it's me. Ah, yes, he's the phantom owlhoot—"

The girl's somber blue gaze rested unwaveringly on her father's face as he rumbled along, sometimes approving his statements, sometimes frowning in candid disapproval. She occasionally addressed a remark to Timberlake, but it was rarely of any consequence. She seemed shy, almost too modest to be natural when Timberlake looked at her.

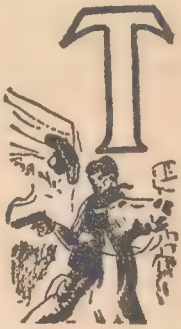
"Getting back to your trouble this morning," she said. "I wonder if you can make a canvas of the town and find out who he is. I've got a strange feeling you did wrong in letting him go. Of course I know how you felt, too, and probably I would've done the same under those circumstances. We know Charley Hoyt, his companion, was the biggest sneakthief and braggart there was in Hayes. He was a killer and he loved to shoot men down who stood no chance against him. He considered himself an expert gunfighter, but when a real man came along he'd duck him. He'd always pick on some fellow he knew he could beat."

"I'll take a look around," Timberlake promised. "If my investigation gives any grounds for his arrest, I'll bring him in as soon as I find him. I'll be careful, because I don't want to make any mistakes to earn the ill feeling of Ben Moffet."

Personally he didn't care what Moffet thought of him. Although he was giving the mogul every benefit he could, he found that his first impression of the boss of Hayes hadn't been a favorable one. He ate four more of Zelda's biscuits, excused himself and left the two lingering over their coffee. He'd enjoyed the best breakfast he'd had in many a moon, he told himself. Zelda's fine cooking was enough to make any man hop to snare her for a wife.

He walked over to the livery stable and got his pinto. "I'm going to do a little riding," he said to the aged hostler, "just to keep in practice." The horse nickered at sight of him and thrust a warm nose against his neck. He gave Tex a lump of sugar from one of the saddlebags, and rode out into the dust of main street. He scanned the sun-burnished thoroughfare for Bob DeSpain but saw no sign of the latter. Funny he hadn't taken the young gunhawk for a Federal officer. He'd seldom failed to spot a badge-polisher, as he called them. In chargrin he bit his upper lip and urged Tex into a trot toward the road he'd followed into Hayes.

5



THERE WAS in this powerfully-built man the deep stirring of a regret such as he had never known before and he knew it would stay with him the rest of his days. There had been many times when he traveled dusty trails alone—always alone—and he had been gripped by a similar emotion, only it had never been as keen as this. He had been more at peace in the darkness and purple starlight on those lonely treks and the stillness of such places had soothed the abused cells of his brain—those remembering cells which he should have let alone. He yanked back out of the past those few pleasant moments, living them over again and trying to make them last forever.

He laid no blame on anyone but himself. He had turned away from all that was decent and clean and worthy, to sink himself into an abyss as black as ebony. Bad as he was he did not for a second doubt that he had been born to be what he was. Matt Timberlake was too much a realist to lament over something that had become a realization. The regret now absorbing him was an intruder, but he couldn't shut the door against it. He sought by every means he knew to whip his mind into another channel, failed and admitted he was whipped threadbare and helpless. He had no self pity. He had made his days what they had been and he had kept his

freedom. He had made his kills. He had outgeneraled the smartest of his competitors. He had the name, the game and the strength to make other strong men quake in his presence. But he did not have the power over his mind that he needed now. He let his loyal pinto single-foot as the hill got steeper.

With him life was a matter of survival. He'd reasoned it out a long time ago. Although Matt made no pretense at being a philospher, a man couldn't go through many years without forming certain conclusions. When he looked back now and found those sudden bends in the road that he had taken, after hurriedly making his choices, he shuddered. He had turned down the wrong side trails. If he had gone ahead, without veering off, life would have been different. Nevertheless he knew these thoughts had been prompted by his intensified interest in Zelda Ware. She was the first woman he'd met who had aroused his hopes. For her he would do anything —he would become a good man or remain a bad one.

He approached the wagon bridge and the hiding place of his waterproof war-bag. He crossed the first of the two bridges. These were at least a mile apart. He rode swiftly along an expansa of grazing land until he saw a purple fringe of trees. On his right there loomed an old mill, the building unpainted and the windows missing like sightless eyes. Tall dun-color weeds, thick as a man's thumb formed a patch waist-high along the side facing the road. An antiquated water wheel showed itself at the end of the structure half buried in stagnant, scum-topped water which snaked off into a clump of willows and became a narrow silver line in the sun. A cloth sign depicting an arm and hammer in garish colors advertising a brand of baking powder flapped its ragged edges in the hot wind. Less than one hundred yards beyond the mill a cottonwood grove got sharper in his view, and the land got higher. Timberlake was almost to the second wagon bridge and passed a tree in the middle of the trail. Smoke curled up from a ground fire in the distance.

Just as he was bent upon turning his pinto into a rutted lane toward the trees a spurt of flame darted out of the blue woods and a bullet tore a chunk out of his right stirrup. The hidden rifle's echo was sharp against the quiet of the countryside. Another white puff and the slug kicked up the dust at his pony's front feet. Unable to see the marksman, Timberlake reined in and felt the pinto lift himself off the ground, rearing backwards and almost unseating the rider. Acting quickly, Matt urged his mount toward a shallow ravine.

Timberlake dismounted, yanked his carbine from the boot and slapping the horse's rump, dropped flat on his stomach. Over the edge of the hollow he waited for another white puff and when he saw it he pounded a bullet at the spot. Twice he took quick aim and fired. Then the duel fashioned itself into a strange conquest. Timberlake couldn't see what he was shooting at until he suddenly caught a flurry of movement in the blue haze enveloping the trees. His carbine spat an angry response to the whining bullets that passed over his head. A slug spattered against a rock on the embankment at his back. He heard the ricochet of it as the rebounding ball whistled close to his face.

There was no water in the ravine. Running parallel with the top of the ravine was a fringe of horse weeds. These were being mowed down by the steady, merciless fire of the enemy. Timberlake was showered with the pulp and broken strands of the weeds as he ducked his head and reloaded his gun.

FAINTLY the man at bay could hear the incessant bark of the rifles. The conflict went into its second ten minutes with more bullets smashing through the weeds in which Timberlake lay, half out of the ravine, looking down the barrel of his carbine. He felt the fine fluff of the broken horseweeds on the back of his neck; he smelled the evil stench

of the things as he inched forward. He moved by raking himself along on his elbows and knees. His lust to see at least some of the results of his shooting urged him into this reckless venture. Gunsmoke floated away from the cottonwoods and a stab of crimson jumped through it. The dry rustle of the weeds on his right told him the slug had been close.

Another shot was put within a foot of his head. Sunlight and shadow made patches on the ground. But through the haze Timberlake saw the men in the trees, counting four of them. All this came to the cornered lawdog in sharp, fleeting glimpses. Smoky dust rose where a slug skimmed the earth, filling his face with grit that cut into the flesh. Matt rolled over and over and when he sat up below the top of the ravine he heard horses single-footing it out of the grove. Now they came on at a dead run, four abreast, riding close together, the riders yelling and smashing the weeds down with their firearms.

The yellow dust was kicked into spirals by the running horses that came in a straight unswerving line. The men rode like hell-bent demons, bridle reins in their teeth, each with two revolvers spouting flames. He then knew he had run afoul of the James boys and had been taken for a lawman. Well, what else was he but that? Too late he realized the gold badge on his blue shirt had given him away to the outlaws. With the sun striking it, the badge could be seen for a long way. The thump and thud of bullets clunked into the trees by the pounding firearms, filled the world with sudden, deafening blasts of sound. Dirt and gravel was hammered into Timberlake's sweating face.

"If the fools keep that up," he reasoned, "I'm a goner; looks like it's time to check out and call it a day."

He rose and in a crouching position ran down the ravine, then wheeled and sent a sibilant slug into the charging daredevils. Matt saw the bullet lift the hat from the man on the far right and send it clumping into the brush along the trail. He sought to confuse them; he ran a few yards farther and fired again.

He saw the four horses leap over the hollow, not far from his pinto. The graceful jumping steeds made a fleeting picture that Timberlake could not help but admire. The James gang were great horsemen. To be a good horseman was one of the essentials they required of every man in their band. They had taken that ditch with the undaunted skill of cavalrymen.

Timberlake held his carbine in readiness but the wild horsemen did not come back across the ditch, nor could he hear them running beyond the trees on the far side of the ravine. Stillness had settled over the place, so deep it's flawless placidity made the cornered lawman jittery. Then he heard a resonant voice call out, "We've quit, Timberlake! Walk out and we'll meet you on peaceful terms."

Although Timberlake was far from feeling secure, he doubted that duplicity would be attempted by the James boys. If they had wanted to complete the kill, they wouldn't have stopped or been turned back by one man with a gun. So he walked up the bank of the ravine and with his carbine in the crook of his right arm, lifted his left hand. From the blue trees appeared two men, one tall, the other about five eight or nine and slim of build. Both were bearded and heavily loaded with firearms.

It was the smaller man, Jesse James, who advanced to meet Timberlake. He held out his hand and said, "Matt, it's been a long time since we met last, and I want you to know we haven't got anything against you. I can explain this firing on you, my friend; we mistook you for a lawdawg name of Bob DeSpain, a U.S. Marshal, who has been causing us a lot of trouble. DeSpain also rides a pinto."

They clasped hands there on the fringe of the trees, in the long blue shadows of the timber. The hot wind rustled the knee high grass in a nearby field and wafted a rare fragrance of greenery to the marshal of Hayes.

"I came out here to resurrect my war-bag which I hid yesterday," Timberlake said. "I hope it hasn't been disturbed. But—what about this man DeSpain; how smart is he and how dangerous?"

Jesse James stroked his fine sandy beard. His blue eyes regarded his friend with slow-burning interest. "I'd say he's the smartest lawdawg outside of Bill Hickok that ever served a Federal warrant. I'd say he's the most dangerous peace officer in the world. For that reason I'd advise you to leave Hayes just as soon as you can do so without arousing suspicion. DeSpain is Hickok's match with a gun; he's got us all beat. He's a slow, delibarate stalker. You'll be fooled by his actions. He might recognize you and not let you know it till he's ready to spring his trap. Don't encounter him if you can avoid it, Matt."

Timberlake's broad face darkened and his slitted eyes were full of flames. His jaw hardened, took on an obstinate cast. "I'll watch out," he said. "Well, it's been nice meeting you again, Jesse. Wish you the best of luck, both you and Frank."

The outlaw king started to move away from Timberlake, then suddenly spun round and looked at him again. "Better take my warning seriously, friend. We have to fight these lawdawgs all the time in order to survive. But there's one hombre I'd hate to have to meet eye to eye. So long—"

WHEN HE WAS alone, Timberlake sat down on a log and rolled a cigarette. He wondered what was going on back in Hayes. He thought with pleasurable anticipation about Zelda Ware. Strange how she'd captivated him and in such a quick time. He'd never believed a woman could sway his judgement again. He'd been through with them. There was Kate Starr—

Well, he might've married Kate if she hadn't become a renegade like himself, and got a price put on her fair head before she'd been operating a month. One thousand was offered for Kate Starr, dead or alive, and Uncle Sam hoped it would be dead, so he'd be saved the expense of trying the woman bandit. What had happened to Kate? Was she dead?

He got up and walked slowly back to his grazing pinto, and stood beside the horse in the waving grass, with the sound of the deminishing hoofbeats of the James gang reaching him from a quarter mile away. He saw the yellow dust blowing into curlycues in the lonesome road, and heard a coyote bark from a nearby ridge. The sun was hotter now than ever, a red ball that was as relentless as Bob DeSpain's guns.

Slowly Matt walked across the field into the trees on the other side, his goal when he'd left Hayes. The James boys had nearly taken his scalp without realizing it. Showed their fear of Bob DeSpain. They'd hoped to down him before he could get close enough to use those guns with the lucky sevens on them. He came to the bank of the creek, and stood a minute listening. He didn't want to uncover the hiding place of his war-bag and the mail-sack until he was definitely certain he wasn't being spied upon. Even here in the silence of the woods where everything seemed so sedate was the lurking shadows of danger.

The sounds of splashing water and a woman's laugher suddenly provoked him into a fast wheeling motion. He had both guns out and ready at his hips when he heard the water spatter again. Then he saw her impish, freckled face. She was peering at him, shading her brown eyes from the sun with one slim hand. Her shoulders, round and shapely were bare and water dripped from her sand-colored hair.

"Howdy there, Timberlake," she called. "What on earth are you doing in this part of the country?"

Timberlake was frozen to his tracks. He felt the blood pounding savagely in his head. His heart kicked against his short ribs and he let the burning cigarette fall from his open mouth.

The woman he was looking at in the shallow creek, was his old sweetheart, the female outlaw, hunted as he was himself—Kate Starr!

6

BOB DeSPAIN had made no progress in the murder investigation. The fact that nobody could shed the least light on the mystery left him whipped and he realized before he'd gone far how difficult it would be to pin the crime on the culprit if he did succeed in catching him. "I'll have to drag out proof they can't dispute," he told Mattie Collins. She had stopped crying and sat with lowered eyes at a table in the postoffice. The smaller building was built onto the saloon and there wasn't much room behind the partition. The U. S. Marshal had given orders for the removal of John Cole's body from the scene of the tragedy to the morgue across the street.

When he walked out into the street and left Mattie alone with an Indian woman who had kept house for the Coles, being assured by Mattie that she would be all right, DeSpain saw a clot of men here and there, all talking in subdued voices and discussing the sensational murder.

Tom Ware and his daughter had made several trips to the saloon and back to the jail, each time hauling in a witness who, they hoped, might prove to hold something worthwhile to the work DeSpain was doing. All the town was watching through the roseate shadows of the hot afternoon. One of the men grouped in front of the saloon called to DeSpain in a grating voice: "Better ask the boss of Hayes what he knows about this, stranger. Don't see though what you've got to do with it? Where's the new marshal Moffet imported to clean up our city?"

Another man, mounted, rode his horse up close to the sidewalk and, bending down, said hotly to the Federal officer, "Funny the new lawman should disappear so soon after he took his job; he shore ain't in town, fella."

DeSpain looked at him through the fog of dust the horse had kicked up as the rider reined him in. But the lawman did not answer. He thought it strange, too, that the town marshal had vanished, without leaving any trace of his whereabouts, no word where to find him in the event he was needed. Other things bothered him, too. He wanted to be alone with Ben Moffet and after that, if he could manage it, he would have a private confab with Zelda Ware. His spurs clinked on the planks as he made his way resolutely toward the brick bank building across from the jail.

Men stepped out of his way, staring at him curiously and impudently and they augmented his feeling of being shut out of this town, of being an unwanted visitor. His friendship for the old man who had been shot in the back gave him a personal interest in the job he'd set for himself. He wouldn't stop until he'd tracked the killer to earth if he had to remain in Hayes all summer.

He climbed the steps to the doorway and entered, removing his hat. He had never met Ben Moffet, but the stories he'd heard about the banker had intrigued his interest. This town was practically new to him as were its denizens. The only folks with whom he'd struck up an acquaintance were John Cole, his wife and the Wares. He hadn't found any reason to see anyone else.

Moffet was waiting for him. A clerk at the wire window directed him to the office. When he stepped into the small boxlike room he saw the handsome man watching him, his back to the mahogany desk and his arms folded across his chest. A cigar drooped from one corner of the stubborn, small mouth. The man's intensely bitter eyes glittered with an unfriendliness a blind man could have felt had he entered the room at that moment. Bob DeSpain wasn't deeply impressed; he'd seen a hundred men or more who had borne remarkable resemblances to this austere person, men who, for the most part, had been gamblers and promoters of divers ilks. However, he masked his real feelings behind a cold face, with a

slight smile turning up the corners of his mouth.

"I'm Bob DeSpain," he said slowly, with his voice low. "I'm the U. S. Marshal for this district. I want to ask you a few questions, Mr. Moffet; I hope you don't mind."

"About the killing of my old friend." Moffet's austerity deepened, it seemed to his caller. "Because we weren't on the best of terms you've got a sneaking idea I had him removed. But I'm warning you you're wasting your time, Mr. DeSpain."

"Well, since this case can't be solved in a minute," DeSpain said, "I've got plenty time to ask questions. I didn't say I thought you murdered him or had him murdered, but you must admit your position in this matter isn't one that will keep you out of the investigation. I'm doing this alone. You pay the sheriff, I hear. You hired a lawman last night, also, and the man had disappeared. I met him this morning at the jail. I thought perhaps you might be able to explain his absence and tell me where to find him.

Ben Moffet scowled. His brows drew together and a pulse pounded hard between his sharp eyes. Although his tone was strident when he answered, it was not without a note of surprise. The harsh light of his eyes gave way to an expression of perplexity.

"I accepted the man on recommendation of Zelda Ware," Moffet said. "She explained he was a good man to have around since he'd helped her apprehend a notorious criminal-one Sandy Hart. I figured any man who could capture Hart single handed, without getting shot up, would make a good marshal. We need a man like Zelda said he was. I think his name's Jannings. I never met him but the one time, which was last night. Why? Why are you asking about him? Is he a suspect, too, in the murder of John Cole?"

BOB DeSPAIN didn't like Moffet. He was stung to sudden irritation. "Ycu seem to want to jump at conclusions," he snapped. "As far as I know your town marshal was gone before the crime was committed. I have no grounds to suspect anyone of killing my friend; you must remember he was postmaster and it's the duty of the government to investigate his death. But the marshal impressed me as being a good man, as you say, to have around. I need somebody I can rely upon and in case of danger to side me. If I know anything about men, Jannings is all right in that direction. Now—as for yourself, Mr. Moffet, when did you see Cole last and what passed between you?"

It was obvious Moffet would answer this question with great reluctance. He studied the lean face of the blond Federal agent who met his eyes with a level gaze. Moffet could read no weakness in his visitor's eyes and he shrugged coldly.

"It'll sound bad, I know," he confessed, chewing on his sodden cigar. He hadn't removed his arms from their crossed position on his chest. He didn't now. Tobacco juice ran down one side of his chin. "I saw John about a month ago, to speak to him. We've met on the walks several times since, but he didn't seem to want to be friends with me, so we didn't greet each other. My business with him was transacted in the postoffice where I made another attempt to buy him out; he wouldn't sell. Ever since I came to Hayes and found him here he has been strong competition in the saloon business. My saloons pay me more than my grocery stores. As I say he wouldn't sell."

Bob DeSpain nodded, rolled a cigarette, put the sack back in his shirt pocket and lit up. He soon had smoke wreathing his head. He crossed over to a table and sat down on it. His mask was serious with thinking. "But you never quarreled? You didn't try to make him change his mind?"

The banker shook his head. "Of course not. I told him if he ever did decide to sell, to let me know. My offer would stand. The amount was in excess of the actual worth of his business. He gave me no answer. I went away thinking he was the most obstinate man I'd ever tried to deal with. But there was no bitterness on

my part toward him. I guess that explains everything and I hope it satisfies you because I'm very busy and—"

DeSpain got up and stomped to the door, lifted his hand in a salute and went out through the bank with a light but definite stride, a young man who had come to believe that everything wasn't as simple in life or as ostensible as black and white. Every human being had his complexities, his twists, his peculiarities of mind, and Ben Moffet had his. The latter was one who was governed by a grim desire to own everything he wanted, who resented the fact that there were somethings he couldn't have.

The U. S. Marshal crossed the street to the jail with a tired feeling in his legs. He'd been on the go ever since hitting Hayes and he was in need of rest. From almost every post the reward posters he'd put up stared at him, reminding him of the heaviness of his responsibilities. He saw those small groups of men had not yet dispersed and the number of the clusters increased. He passed one bunch of riders who sat their horses in the golden dust and eyed him in strange silence. DeSpain ignored them. He went on to the jail and entered the office, aware of being baffled, of not knowing what to do next.

Hayes, Kansas, had become a badman's hangout, he was sure of that. He wondered why. There was no explanation for it unless it lay in the lack of a competent officer to uphold law and order. Tom Ware was too old and the best years of his life had left him; now he was weary and without interest. Again it occurred to him that the new marshal had taken out and left no explanation for his going. He hoped to straighten this out with Zelda Ware. Funny thing how he'd become deeply intrigued by this redhead who was about as pretty as any woman he'd ever seen; maybe she was the prettiest.

But she wasn't there, when he stepped inside and found Ware seated at his desk, with a look of dejection on his face,

"Zelda rode out of town awhile ago," Ware said. "She thought maybe she'd find some trace of Jannings. Something must've happened to him. There was an attempt made on his life this morning and she wasn't sure he was safe. I tried to argue with her that he would come back, but Zelda's kind of stubborn when she gets a bee in her bonnet. She won't be satisfied until she knows he's all right."

It occurred to Bob DeSpain suddenly about the prisoner. Sandy Hart was wanted by the government and it was his duty to examine the prisoner and find out what he could regarding the latter's background. He had heard a lot about this dangerous owlhoot but all of it was second hand information and he had never studied the records. He was led back to the cells and DeSpain stared at the man in the iron boxlike room, knowing the moment he saw his face he was the real Sandy Hart. Ware lit a lamp on the wall and the saffron glow showed the captive seated on his bunk, still toying with the same newspaper he'd had when Timberlake had interviewed him early that morning.

MATT Timberlake's feeling of astonishment had passed away and he was cool and deliberate as he stood on the bank and watched Kate Starr climb out into the sunlight and go to her clothes which were piled on a log in the shade of the scant willows. He caught the pale white flash of her skin and turned his eyes away from the sandy complexioned woman whose body was straight, soft and perfect in its shape. If there was anything Kate had always lacked, it was a sense of modesty; as she donned her clothes she kept up a rambling conversation.

"What are you doing wearing that badge? How did you get it? What have you been up to? Have you lost all reason—you, Matt Timberlake,

wanted by the men who have all the right in the world to wear those badges! If you want to commit suicide why don't you play Russian roulette? It's a better way and quicker, unless you meet a bullet coming straight at you. I'm disgusted with you, and I'm disappointed, too. I think you'd have nothing but hatred for those badges, the same as I hate them. The sight of that one on your shirt almost burns me up. Matt, You've lost your mind."

He whipped round and she was pulling on her shirt, dropping it over her head. He turned pinkish and removed his eyes, letting them travel swiftly out over the narrow brown trail from the road.

"I got to thinking I'd been crooked long enough," he mumbled. Irritation made him unpleasant. "What're you doing in this territory? Are you trying to commit suicide, too? You'll get killed if you stay around here. Don't tell me you've been riding with the James gang? Jesse wouldn't let a woman go along with him, no matter if she is Kate Starr. You make me just as mad as I make you with this badge. I'm proud of it; I'm going to keep it just as long as I can. You were born to be a renegade, Kate. I'm beginning to think I wasn't. If you don't get out of here you'll get me in trouble."

She had pulled on her levis now and was hopping around in her stocking feet. She dropped down on the log and picked up her light boots, crossing one leg and completing her work without comment. She'd donned both boots and was reaching for the heavy shell belt behind the log when he wheeled round again and met her troubled amber gaze which was clamped on him and which burned with an amber fire.

"I came here because I figgered maybe Moffet's bank would be a suitable job if I could manage it. I'm working alone. Practically everybody knows Ben Moffet's bank is loaded with cash. I've been successful with other bank jobs equally as dangerous. They don't have any law worth speaking about in Hayes, or didn't till you got the town marshal's badge. I reckon you're the marshal of Hayes? I need money We've got to take certain risks; why can't we get together, Mr. Matt? Then we can go away some where and rest and maybe retire. Don't tell me you actually mean what you said a minute ago."

"Kate," his deep voice said, "I was never more serious in my life. We can't work together. You get on your horse and ride away from here as quick as you can, and don't even look back. I'm going to Hayes and I aim to stay there. Bob DeSpain's in town and he's bad medicine. However, I figger I've got a chance and I'm going to play it to the limit. The law has got your description down pat and you'll be cornered if you try anything in town. You were mistaken when you said there was no law in Hayes."

She came gracefully up to him and placed one arm around his waist. There was something in her eyes he'd never seen there before—not for a long time, at least. "I wish to God we had never met," she said softly. She pressed her body against his and groped for his hand and found it. The pressure of her fingers was like a band of steel. He was looking away from her, watching the road. He'd seen a cloud of dust curling up from the trail. Then he made out the silhouette in the sun of a stagecoach drawn by four horses which was rapidly approaching the wagon bridge. The driver was yelling and swinging a long whip. Dust drifted across the field and reached the two in the trees. The thunder of the Concord on the planks came and left and it was silent again.

Kate's lips and eyes showed the stirring of a keen emotion. She was as passionate as any woman he'd ever seen; being alone here wasn't doing either one of them any good. He knew he'd have to kill her hopes, that they could never ride together again. He turned squarely to face her, dropped his hands gently upon her shoulders. There was a difficult huskiness in his voice when he said, "We had our chance together and it didn't work out. I want something different now. I've wanted it a long time. If I have to, I'll surrender; I can't drive myself into doing anything to lower myself in my own es-

timation. I'll either be hanged or jailed. If I have to go to jail I'll live through it and come out without owning society anything, Kate. It'll be a great feeling."

They were in risky country and he knew it, and he thought now of getting Kate out of danger by sending her away. But her eyes had gone cold now, and he remembered she was the most stubborn woman he had ever known. She'd set her mind on going to Hayes and it was beyond his power to change her. There was a little wistful smile on her face and her lips curved into a temptation he fought to ignore. She was all woman, hot blooded and full of the ability to love. But she didn't have it in her heart to be satisfied with one man.

He pushed her away from him and went on through the trees until he came to the place where he'd hidden his warbag and the mailsack. He pulled both out from beneath a gooseberry bush. The abrupt whistling sound he heard came as a belated warning. He knew a rattlesnake was about to lunge, from less than a foot away. The whistling grew in violence. Even a rattlesnake would warn you before it hit. Matt Timberlake had fast hands. They were adept hands, adept in the use of his guns, at poker, at anything that required speed and skill, but they weren't as speedy as the strike of a rattler. This Diamond Back would get him.

THE EXPLOSION of Kate's .44 rocked the trees and gunpowder settled around Matt's face. The snake had been targeted by the woman at his back. The slug went true to its mark. When Timberlake straightened up the snake was trashing about in the bushes, its head severed from its body.

He turned and looked at Kate Starr. A slow grin flitted over his brown face. "Nice shooting, kid," he said. "I owe you one."

"You owe me more than one," she said, ejecting the spent cartridge from her expensive Colt. "I did that once before you know, but not to a snake. It was the wild bull out in Wyoming when you had your back to the corner of a fence. Yep, you need someone to look after you, Matt Timberlake. Come here now and kiss me. I don't want any more reward than that."

He held her in his arms a moment before he let her go. He heard the singing of the birds and caught the fragrance of the woods and the wildflowers growing there. But the wild flower in his embrace was wilder and more beautiful than any of the others. Only he didn't want to crush it, wanted to let it live.

"I'm going to take my stuff and go back to town." He backed off from her. She had her slim hands working with her wet hair.

"All right," she said. "I've lost, and I'm a good loser. But we'll meet again. I'm not going to wish you anything but the best of luck, although I doubt if you'll be lucky. You'll die because a badge will kill you—a law badge—and the funny part of it, Matt—you'll be wearing it when you die. I always figured you'd go down in gunsmoke before a man with one of those things on his shirt, but I never dreamed you'd be wearing the badge yourself. Killed by a law badge! I shall always think of that when I think of you. So—there's your pinto over there, Marshal. Adios."

He swung up into the saddle and peered back at her with regret making the lines deep past his mouth. Somehow he reasoned this would be their last encounter. He adjusted the chin strap of his sodbuster, shut his eyes against the sun a minute, opened them and found her gone. He heard a faint crackle of underbrush and saw a fleeting flash of a red-and-black shirt. His pinto carried him swiftly toward the road.

Up ahead he saw two men riding briskly toward him. The bend in the trail was screened in yellow dust. Timberlake shielded his eyes against the sun, but couldn't make out the men who were urging their mounts into a faster clip as they neared him. They had the sun to their backs. Matt saw a gun sparkle in the hands of one of the riders and the other was tugging at his belt. He had been recognized, but he did not understand it all; his quick mind thought only of defense.

Matt whipped out his Colt, spurred his pinto into a dead run. The two men separated and left a wide space between them, but Matt was too old in experience to slide into the trap. He rode around them with dazzling speed, taking to the greensward at the edge of the trail on the right. Guns roared in his face and powder stung his eyes. He sent two slugs screeching in a blast of thunder at the men as they swept by him.

He bent forward on the fast pinto and the little steed streaked away. The men had been so close he'd recognized one of them. It was the man who had miraculously escaped his gunfire that morning, the man who had talked his way out of a precarious spot. Timberlake remembered he'd started out to look for the man but had veered off to recover his warbag and the mailsack. He had been gone for hours. He didn't know what time it was because he didn't have a watch.

His antagonists had turned their horses around and were coming back after him. Both were on big Morgans, endurance horses, not built for speed. Matt spurred his pinto lightly because the little fellow was doing his best. He did not waste any ammunition trying to knock those renegades off their saddles. He had found it quite difficult to shoot accurately from a running horse. The staccato pound of the hoofsbeats as his pursuers stayed glued pertinaciously to his trail sounded like gunshots. They were so close he could hear one of the men yelling.

"You can go to hell," Timberlake shouted. The steady hammer drummed harder and harder against his ears. Now slugs began to fan the air around him. Those sinister riders were no more than four hundred yards behind him, coming on without a drop in their speed.

MATT KNEW his horse was hard put; the wind sawed in and out of him, and the following pair were slowing down. It was a killing pace and it couldn't go on forever. A slug zinged past Matt's left ear, and he decided to slam a bullet back at them. He twisted round in the saddle and pounded two slugs at the renegades. The gun kicked on the heel of his hand; he steadied himself and drove another shot behind him.

He was lucky. The man in the lead lifted his arms and slumped backwards in his saddle. Matt saw him try to right himself. He failed; he dropped off the horse and was dragged with one foot snagged in a stirrup. The other rider dodged the squirming man in the dust, came avalanching down at Timberlake. The marshal wheeled his pinto, who braced his legs and answered to his master's gentle tug at his reins. This was the showdown. The odds were even, Timberlake concluded; he held his gun level with his flat stomach. There was no haste, no impatience burning him and his eyes were cold and steady. The other man couldn't rein in now, his horse was thundering in a cloud of choking dust straight toward the lawman who was ready to meet him. Man to man they came together!

Timberlake brought his gun in a wicked swing straight down at the unprotected head of his antagonist. He missed, but the lunge of his left shoulder knocked the man spinning out of his saddle. An adept horseman he lit on his feet, ran backwards and the Morgan skittered out of the way. Staggering, in a half run the dismounted renegade did not stop until he struck against the fence, six feet across the greensward beside the trail. Matt Timberlake jumped down into the dust, swinging himself around and off the pinto, lighting with both feet and slapped his mount on the rump. The horse gave a leap, whirled and stood, front feet braced, waiting. He had been through this before.

Now Timberlake was rushing his man, cool and calculating. He knew he mustn't show the renegade any quarter. He played the hand as he saw it, and knocked the other's gun down. All his motions ran together as he slammed harder into the stranger, grabbing for the gunhand and finding it. He held the gun down, and lifted his own Colt into line with the renegade's belly. He shoved the barrel deep into the man's guts, twisted it cruelly and saw the

red blood of anger and excitement drain out of the fellow's face.

"Let it drop," Timberlake snapped. "You'd better let go of your gun or I'll bore you full of little round holes. I know who you are; you're one of the men who jumped me this morning. The other one, the fella you called Charley Hoyt, is dead and can't talk. You just lied your way out of the mess you made of your attempt to kill me. All right, lift your hands and let the gun drop—"

He hadn't miscalculated. His man obeyed reluctantly and when the Colt left his fingers, Timberlake took a quick step back away from him.

"Go on and catch your horse. Don't try to run. You won't get another chance if you do."

A few minutes later the new marshal of Hayes was on his way back to town with his captive riding slowly ahead of him. At the place where the big cottonwood stood in the middle of the road he saw Zelda Ware riding briskly toward him on her roan mare. She waved her hat and urged her mare into a swifter space. She was an excellent rider; he found himself admiring the way she sat her saddle. She was in motion with the little roan.

Timberlake waited under the wide parsol branches of the tree, listened to the flap of the cloth tobacco sign. The wind was hot, carried with it the fragrance of new hay. It was so peaceful and so beautiful in all its pastoral splendor the fugitive bandit lawman felt a wave of responsive emotions run over him.

8

BOB DeSPAIN faced Sandy Hart in the long corridor of the jail. "Funny seeing one of the worst owlhoots in the west locked up." Bob lit a cigarette and placed a shoulder comfortably against the bars. "I reckon you know the jig's up, Sandy. Just what brought you to Hayes?"

Hart was in a better mood than Matt Timberlake had found him early in the morning. He'd been fed and there was a quart cup of black coffee on the table against the iron wall. He walked over and drank until his craving for the black liquid was appeased and took his time about building a ryestraw.

"We all get it sooner or later." Hart said, without nervousness. "It's just as funny to me to be locked up, Mister. Only that's not the word for it. All my life I've been free, loved the great outdoors, the winds, the rain and the snow and the sleet. Reckon you figger right. Now getting down to your question. When you build a town you've got to have good officers to keep the law, and Hayes never has had one of them, not since Hickok was here. The word spreads around and soon all the badmen know about it. They take it to be safer than any place where the law's on the job and able to put up a stiff fight. I'll gamble the town will attract more'n me if they don't do something to build up a rep. You understand?" He came over and grasped the black bars, stood there a minute.

"I guess Ben Moffet's Bank is the lure," said Bob DeSpain. "You've heard about his bank?"

Sandy Hart scratched the tip of his nose. "Who hasn't?" He squinted his eyes and peered curiously at the young lawman. "Always a lot of cash on hand. It's simple to walk in there and stick 'em up and walk away without encountering much opposition. One man could do the job; one woman, too, could do it. Kate Starr's robbed more'n one bank singlehanded. You'll find out before long what I mean."

"You ever hear anything about Moffet not being on the square?" DeSpain was taking his time. There was no need to hurry. If Hart knew anything, it would take patience to get it out of him.

"Only what I have heard others say," Hart stated slowly. "I don't know anything personally about the banker, except he owns this town, all the way from the lumberyard to the beanery. Once a man told me back in Abilene that Moffet had run wild

in his young days and been one of us. I can't truthfully tell you nothin' to help you. Mebbe he was an owlhoot. You've got the records; why don't you check them?" Mebbe one of the reasons you don't know anything about Moffet is because he hasn't always gone by that moniker. Why not try looking at other names, such for example as Davis. Rodney Davis used to be a desperate fella, and went around with Billy the kid."

"How's your tobacco?" Bob asked gently. "Got plenty of everything you need, Sandy? You're my prisoner now and the government surely doesn't want their prisoners to be without the necessities of life."

Hart grinned, showed his buck teeth. "Yep, can use some chawin', and mebbe a poke of smokin'. Get some papers, too, Mister."

"My name's DeSpain," Bob said, lifting his shoulder away from the bars. "We'll get along all right. I'll send you a few sticks of candy, just for good measure. If you're like I am, you'll like something sweet to nibble on. Well, see you later in the day. Thanks, Sandy."

Hart watched the young marshal walk away. There was a bright light in his slitted eyes. His mouth opened to call out something to DeSpain, but obviously he changed his mind. The Federal lawman went on to the office, passed through it without saying anything to the sheriff, who didn't even turn around in his chair.

"So I've been a sucker," he told himself, as he tromped up the boards to the corner. He paused under the awning and leaned against a lamp post. His eyes were round and glittered. Four riders sat their horses in the intersection and surveyed the business district looking in all four directions. They were garbed as cowboys. In their saddle boots were carbines with the black barrels reflecting the rays of the overworked sun. They were young, reckless looking. One of them was red headed and he knocked dust out of his sodbuster by hitting his leg with it. He ran his fist over his dust besmeared face. The others moved in closer to him. A spirited buckskin reared up and yellow dust exploded under his hoofs.

BOB DeSPAIN paid them scant attention. He'd seen a thousand such men, riders for big ranches who, when they played, played hard. Soon they'd be drunk and spending their monthly paychecks with careless abandon. Ben Moffet would get their money and they'd go back to work with hangovers and vows never to be suck idiots again. But they'd repeat and repeat, and repeat; none of those oaths would be kept.

No matter which way DeSpain looked he saw a reward poster. *Wanted Dead or Alive—Matt Timberlake.* A brief description of the fugitive was printed in large black letters. But DeSpain doubted the details of his appearance as Uncle Sam had obtained it. He had tried to picture what the bandit actually looked like a thousand times, but was never satisfied with the results. He had, piece by piece, strung together from information it had taken him a long time to gather, conceived a picture of the owlhoot. Only that morning he had described Matt Timberlake to the new marshal of Hayes. But he had no sure reason to believe he was right. Sometimes you could be misled by those who were eager to be of service to lawmen. It was a kind of composite picture.

Two new problems had arisen since the murder of John Cole. One of these was how to check Ben Moffet's past. The other was the mysterious disappearance of Jannings, the stranger law-enforcement officer. He had found a good beginning on one of these problems, the first one. The name stuck in his mind. Rodney Davis. Sounded fictitious, but it could be the man's real name. He had something tangible to work on in that direction. He could send a code message to the capitol at once and have it run down. To answer the last question, however, would take harder work, unless Jannings returned to Hayes of his own accord.

While he was checking Ben Moffet, who, definitely was a suspect in the Cole murder, he would check Jannings. It was going to be a stupendous task unearthing anything on this stranger who had walked straight into a job as marshal of the

town. If Jannings wasn't his name all attempts would prove futile. Still, there was a possibility that if it was an alias, he had used it before. A wire to Abilene and one to Dodge should be revealing if Jannings had used the name in either place.

He walked down to the depot and sent the telegrams, and watched the bent, crippled agent shoot the quest for information over his Civil War telegraph instruments. DeSpain wired the marshal at Dodge and the mayor of Abilene; he knew both and was sure they'd help him all they could.

Then Bob DeSpain started back up the tracks to the street. There was nobody in sight except the four horsemen who were riding his way at a leisurely pace. The man on the buckskin was in the lead. He was short and broad and wore a sweat-caked hickory shirt. It suddenly struck the Federal lawman that these men were too heavily armed to be mere cowpunchers in quest of a good time. Another thing—he was quite sure they had followed him to the little red depot!

"Howdy there, stranger." It was the blocky sandy rider on the buckskin who spurred his horse across the rails and blocked DeSpain's path. The others rode around the U. S. Marshal, encompassing him as neatly as a suddenly hoisted net would trap a slumbering fish!

The sandy cowboy said, "We want to take you out in the country and show you the sights, friend. Seems like our boss has got an idea it will do you good. Mebbe he figgers you've been a town loafer too long. Hope you don't have no objections because it will be just too damn bad if you do. Get to movin', pilgram, and we'll ride behind you like we're following our leader. Don't act unnatural. You know how to do it. I think you'll find our climate healthier if you don't be stubborn."

Startled, yet cool under duress as usual, DeSpain smiled cynically. "Ben Moffet doesn't like to have me around, is that it? Well, you seem to be holding that best hand. Let's go."

THE RIDERS looked at each other, puzzled, and then the leader shoved his horse around so that he could follow DeSpain. "Take off" he ordered. "We'll follow you. Go straight down that road and act natural, pilgram."

He indicated a short, dusty road that lead through the back part of town, past a jumbled row of wrecked falsefronts. The street was deserted except for a sodbuster in a wagon in front of a blacksmith shop who didn't pay them any attention as they swept by in a cloud of swirling dust. Bob heard the smithy's anvil and saw a rose tinted fire deep in the shedlike structure. He rode at the head of the armed calvacade, without glancing back. The precarious spot he was in settled around him and grew deeper in its serious aspects before they'd gone far.

A prisoner! No doubt they meant to dispatch him as quickly as possible, when they got to a place where they could do this without danger of being observed. He had never been over the road they followed, but it wasn't long until the road made an L turn and dropped back into the old trail he had traveled into Hayes.

Cold thought prompted him to assume a submissive attitude. He decided not to cross them. Once before he'd had a showdown with five men and had come out alive, with a bullet in his left side. The five men had been either killed outright or had perished from the mortal wounds his guns had inflicted. Bob DeSpain had confidence in his gun fighting ability and was proud of his record, although he hated to take human life where it wasn't strictly imperative to do so. He had felt a flash of his old resentment when cornered by these owl-hoots, but an idea had seized him which had led to his meek surrender. He would have to take a long chance to learn what he wanted to know about the murder of John Cole. Was Ben Moffet behind this abduction?

Moffet was able to hire men to execute his orders. He could get anyone killed. His word was law, and it was known that he governed the town of Hayes, and Tom Ware was at his beck. As they rode along in the pungent dust DeSpain made his plans. Moffet had sent these men out after him. No doubt Rodney Davis and Ben

Moffet were one and the same. Consequently the banker was resorting to an act of desperation in order to rid himself of the danger of being found out by a prying U.S. Marshal. He knew he was suspected of plotting the murder. If he was arrested on that charge, he would be ferreted out as Rodney Davis.

The horses were traveling at a smart canter down the trail past the cottonwood. Now the leader took command and rode in front. Bob DeSpain had a man on either side of him and one brought up the rear. The hot sun beat down upon them with a merciless tenacity. They cursed and mopped sweat and kept their evil eyes alert. Not a word passed between them.

* * *

The murder of John Cole had thrown Hayes into great excitement and an emotional upheaval. He'd had his friends, honest men who feared the Lord and respected the postmaster. He had conducted his office with dignity and squareness. He had been influential in landing the town's first postoffice and had spent his money lavishly in his contributions to charity and civic improvements. They—those people who had sided him in his fight to keep in business—had not been in the least dubious of his reasons for being generous. They refused to believe he was leading them on. His gifts to the poor and the unfortunate sodbusters who'd been rained out and burned out, were not the offerings of a man who expected to profit hugely in return. And just as strongly as they had admired him, they now loathed the young woman who had married him for his money and money alone.

Yes, John Cole was dead, and his widow was without his protecting influence. They did not suspect her of his murder—no, not for a minute did they cast reflections on her character in that regard—but they loathed the fact that Mattie Collins, a painted woman of the dancehalls had inherited his fortune, had gained it by pulling the wool over the old man's eyes, as they termed it.

Mattie Collins knew what they thought, but she wasn't bothered; she had long ago become accustomed to being treated with deceptive respect. She had seen through the masks, knew those smiles she had received from the better element of Hayes were hollow empty things fabricated for the purpose of deceiving Cole. They didn't want to show disrespect for the man they so much admired by giving his wife a cold front.

She sneeringly walked through the hot sun with a parasol shielding her comely painted face. She saw men turned away when they saw her coming, and the same folks who'd shown her those respectful courtesies now showed her their backs. She wore a heavy black veil. Her gown was of a vivid ebony hue. Her parasol was also black. Above the high black lace collar of her gown was a pale, suffering face. In her expression was a pronounced grief. She entered the morgue where her husband lay a corpse and in the sheen of the bracket lamps sobbed over the body. They left her alone with him. His cooling board was near a front room window and ice would soon be placed around the cadaver to preserve it for burial.

AFTER SHE had been alone with the corpse ten minutes or so, Mattie called the undertaker, Hiram Baker, and expressed a desire to see the coffins so she might select the best one in stock for her husband's remains. Baker led her back to the store-room and she lifted her veil to reveal tear-wet eyes, and there were traces in the powder on her cheeks where rivulets of tears had traveled painfully and left their marks. She wound up by paying for a three hundred dollar steel casket. The shroud she had chosen came to thirty five.

"I shall never forget his kindness to me," she told Baker. "No woman ever had a finer husband. The person who took his life will have to pay if it takes a year to find him. I think I know why John was destroyed. I'm not going to cast any insinuations, but the law will trap the murderer and he will be hanged by the neck. Now Mr. Baker I'll give you a list of the pallbearers I have chosen from among John's best friends."

Baker was a small man who wore

brass rimmed spectacles and he almost cried out loud, feeling very sympathetic to this girl who was broken hearted because her husband had been slain and taken from her. He was sure the town had misjudged Mattie Collins. He declared himself to his intimate associates when he met them on the sidewalk in front of the morgue.

"We've all got Mattie wrong. She's a better woman than we figgered. I'm for her and I'll apologize to her first chance I get for the mean thoughts I've entertained against her. If they don't fetch the killer to justice I'll personally see to it that the Pinkerton detectives are brought in from Chicago to conduct investigation. I'll pay the expenses myself."

"If that's the way you feel about it, Hi," said one of his cronies, "I'll stand by you. She's all right. I've known you a long time. You've seen folks cry when they didn't mean it. If you say Mattie Collins shed real tears I'll go straight home and tell my wife; she'll see to it that other women of this town find out the truth."

Baker dropped his head. He had a big black mustache and he chewed on the ends of it a minute. There came an interlude of silence which was broken only by a spring-wagon drawn by four horses and a driver who yelped to attract attention, and snapped a bullwhip. In the rolling dust and the sun's brass-glare the little undertaker stood like an image in stone. Then he lifted his head, nodded and with tears riverin down his pale cheeks, said stoutly, "I'll swear she's broken hearted. Like you say, Dobe, I've seen a lot of tears shed in my days, but none were more genuine than Mattie Collins shed back in that room with her dead husband."

Thus, miraculously, Mattie Collins became almost in an hour's time one of Hayes' most respected and beloved citizens.

BEN MOFFET, indignation turning his face a deep russet, stomped into the sheriff's office and rasped from the open door at the weazened figure of the head minion of the law, "I don't want no prying into my business by anyone connected with the keeping of the peace in this town. I'll not tolerate it. Where's that new marshal? His name, Zelda said, is Jannings. What's happened to him? You go out and fetch him in, Ware. Don't waste no time. I'll need a special bodyguard and I want him to be it; the situation is pressing and don't waste your while running around in circles."

Ware got up from the desk and plopped his galluses. He peered with mild curiosity at his visitor, the man who had made him and the man who could break him with the same small effort it would take to break a straw.

"I don't know where he went," Ware said. "He just disappeared. He ate breakfast and said he was going out to look for the man who got away with his scalp after the attempt was made to take his life. Reckon it could be he's met up with odds too big for him to get around. I've heard tell of such happening, Mister Moffet. Besides, Zelda's out on the trail of Jannings now, and I'll be gettin' some word from her before long, I'm sure."

Moffet lifted his stovepipe hat and wiped globules of sweat from his forehead with a white handkerchief. "That's all I've heard since you've been sheriff of this county, Ware. Excuses, excuses, anything to keep out of work. You let Zelda risk her life in order to polish the seat of your pants. I want you to do something, or I want you to hand in your badge and admit the job of law-keepings too mighty for you to handle. It's one or the other. Zelda and I are going to be married and I don't want my bride to be doing a man's work. Do you understand me, you old skinflint?"

Ware frowned and turned to the wall beside the desk. A heavy shell belt and a holstered .45 dangled from a wooden peg and he buckled the wide belt around his inadequate looking waist. When he tried to straighten up his effort failed and he still remained slightly bent in the back.

"I'll do my best. The kid's headstrong. Spoiled, I reckon you'd call

it, Ben. I know how you feel, and I don't blame you. I'm real glad you feel that much interest in her welfare. I'm not going to be here much longer and it's a pleasure to know she'll be cared for when I'm gone. Yep, I'll find her, and I'll find that gunhawk she talked you into hiring, too. Give me this chance and I'll show you a thing or two about sheriffin'."

Moffet still stood there, statesque, wiping sweat out of his hatband. He was imperious, scowling, surly. When he spoke his deep voice was strident. "Look out there along the street. The town's plastered with posters advertising the big reward offered for Timberlake, dead or alive. What do you think you could do with him if he was to come to Hayes? He's one of the slickest gunfighters in this country, has a record as a killer. What man can you name here who would stand a chance against him? What two men? Do you think you could take him, Ware? Suppose Zelda was to try? Would you let her get murdered? See where you're weak in this office? See where we need a real man, one like Jannings? Or are you as ignorant as you pretend to be?"

"What makes them think he's here?" Sheriff Ware limped to the door and paused in the opening, with the sun shining on his wrinkled face. "They don't know for sure. Now if Timberlake was to come to Hayes today, he'd likely meet his match in young Bob DeSpain, our U.S. Marshal. They would stack up right well if they was to come together. Bob's got a record as a gunfighter, too, I'll have you know. If you ask me, I believe he's the only man we've ever had lawin' for Uncle Sam who could get the job done. Well, if he was to come here—if he was right now—I'd send Bob out after him. You made your money with your brains, didn't you? That's exactly how I run this office, Ben." He limped on out to the board walk and stomped away. The old man didn't look back, but he knew Ben Moffet had stepped out behind him and was rushing across the street toward his bank. There was a worried look on the sheriff's heavily lined visage.

9

MATT Timberlake saw in Zelda Ware's eyes a hint of a spirit that was stronger than his own. She had dashed up to him, pulled back on the reins of her roan and the mare had spun about in a blanket of dust to head the same way his pinto was turned. Nothing was said immediately in the sudden closeness. "Guess we'd better be hiking straight into town," she said. "They're looking for you, Jannings. What are you doing with this man? Would you mind telling me who he is and why you've got him prisoner? What has he done? What has happened to you? Have you been in another fight or something?"

There was deep concern in her voice. He said, "Yes," and spurred his mount and she urged her roan alongside him and they rode behind the captive without saying anything more.

Matt was thinking then; he was full of bitterness and regrets which he would never be able to make known to her. He was going back into his memory again—funny how sight of her always made his mind reach back, instead of going forward. His brain was rattling his shackles. But his brain would never succeed in breaking them. It was like he was trying to reach her and the chain wouldn't let him. He was thrown into a belligerent mood. The last few years of his life had been dog-eat-dog. He was embroiled in a war with himself. He wanted to show his real affection for this girl but he couldn't quite do it. No matter how much he was with her the distance between them would grow wider. He had left the only woman who could rightfully be his mate back in the woods, severing the tie as completely as though it had never existed.

Their ponies walked, with the saddles squeaking, and Matt held a gun in his right hand. She rode directly

beside him and occasionally their stirrups rubbed together.

She had never told him anything about her past. He had the impression that she had been without a mother a long time, and she had needed a mother's coaching and understanding. The absence of women in her life had toughened her, but her ability to be a woman a man could worship hadn't been destroyed. He felt she was clinging to something although she was without much hope of realizing it. There was a fragrance about her as fresh as perfumed soap, a clean unsullied freshness. Once he had slept under a rose bush and the fragrance of the flowers had lasted for days in his memory. It was something like that now, in fact whenever he was with her.

She was waiting with a dull kind of patience for him to explain what had taken him out of town, why he had this prisoner. But she wasn't going to ask him until he'd had plenty of time in which to volunteer the information. In this, Matt Timberlake detected a strange confidence, almost the same as came with an intimate association.

Without looking at her, he said softly, "This is the man who fired on me this morning and escaped by talking his way out of the mess he made of things. This afternoon he made another effort to plug me, and failed. There is more to it than appeared on the surface early today. Undoubtedly he's in someone's employ—someone who wants me removed. We'll find out when we get him securely lodged in jail."

Zelda's voice was very faint when she replied, "Do you know who he is, Dave?"

"No." He handed her the gun and rolled a cigarette and they rode along without saying anything more, with her holding the .45 trained on the man ahead of them. They cantered across the bridge, when Matt told the captive to get a move on, and soon came within sight of the sun emblazoned town which was less than half a mile away, down an incline.

He watched her out of the corner of his eyes and saw the lights and shadows in her face. She was wise beyond her age but her knowledge made her more unhappy. He wished there was some way he could break those bonds and be on an even keel with her. He wished he could reach back and rub out all the sordid ugliness of his past. If he had found her the day he came out of college then it would have been vastly different.

When he twisted round in the saddle and stared at her the smile on her face was wistful. She saw the same thing in his eyes and in the lines of his mouth.

They galloped past the blacksmith shop and the tombstone buildings which were more like cemetery markings, than ramshackle storefronts, turned at the corner into Depot Street, moved swiftly along this and then rounded the jail corner at the intersection. Zelda was the first to dismount. She was looping her bridle reins around the rack-pole when Matt Timberlake ordered his man to climb out of the saddle. The latter obeyed and slid to the ground, making his pinto fast. Matt kept his eyes on the renegade until the prisoner was ready to march into the office ahead of him.

Taking the keys off the nail he conducted the captive to a cell, opened the door and shoving him inside, turned the key in the lock. Zelda was waiting for him when he returned to the front room, hurriedly scanning through the notes her father had left on the desk.

A BUGGY clattered up to the jail and two men got hurriedly out of the vehicle and one of them rushed toward the open door. Except for the clumping of his boots on the boardwalk the afternoon's quiet was profound.

Framing the doorway the new arrival stared in at Zelda and Matt Timberlake. He was tall, stoop-shouldered, long-waisted and bearded. Timberlake had never seen him before.

"We've been out looking for you, Zelda," the man said sharply, "and I'm shore glad to see you're safe and sound. This fella must be th' new

marshal. We hoped to find him, too; Ben Moffet wants to see him. There's been an awful murder. John Cole was found shot to death by Mattie Collins. He was in his office, shot in the back. Bob DeSpain, the U.S. Marshal is out somewhere makin' an investigation. Ben wants to see you, too, Zelda; he's over in th' bank, waitin'."

The sudden breaking of the news left Zelda stunned. Timberlake's broad face lost a shade of its rugged tan color. He was the first to speak. "John Cole—the postmaster—murdered!" It was hard for him to believe he had heard the visitor's voice, especially the information he'd gushed out in almost breathless excitement.

"No, Hobe," Zelda exclaimed. "No—it can't be! He—not John Cole—"

"Shore as you're standin' there," Hobe answered. "But—please hurry. Don't keep Ben waitin' any longer than you have to. The boss is all upset. Seems like he thinks he has to have protection. I don't know why. But he wants th' new marshal to act as his bodyguard till this thing is finished and the killer found. I'll rustle over to th' bank and tell him you're all right, Zelda. Hadn't you better come along now?"

Zelda lifted her hand and pushed back the brim of her hat. She showed no excitement. Her face did not betray her thoughts; but it was plain to Matt Timberlake that she resented being ordered around by the czar of Hayes.

"I'll see him when I have time," she said. "I'm in no hurry. If he is, you tell him I'll be here for a while. As for Jannings—he can speak for himself." The lamp bracketed to the white wall near Hobe had a smoldering wick and a faint coal-oil smell ran through the room. Hobe's long face was thrown into a semishadow. The sickly yellow glow added to the spooky atmoshpere. When Hobe crossed the floor and his face was out of the gloom Matt Timberlake saw how taut it was, how deep the lines past the brutal mouth. This man couldn't be trusted. "I have some business to do before I see Mr. Moffet," the marshal said. "You tell him as soon as I've finished it I'll run over and see him. If he feels he's in danger, tell him to come here and stay with us; we'll do our best to protect him."

Hobe slid out of the office, with catlike slithering of his feet on the sidewalk. Timberlake followed him to the door. Danger was running the gauntlet, so to speak, and he could not shake away the feeling. It bore heavily upon him and he skewed round to look at Zelda.

"I'm just tired of being ordered around by Moffet," she said. "Ever since Dad sold his farm and moved to town he has been dancing to Moffet's music. He's being constantly criticized by the banker. He holds his money over us. We have to do what he says if we hope to stay in office; there are other things he has tried to force me to do that I don't like."

"I understand," Timberlake grunted "For instance Moffet wants you to hook up with him and inherit his millions?"

She said calmly, "Is that guesswork, Jannings?"

He lowered his gaze and studied the tips of his brown fingers. "No, I heard it said he was trying to marry you."

Zelda Ware froze up. "Who is behind those attempts to kill you?" she asked, in a half whisper. "Find out and I'm sure you'll come close to putting your finger on John Cole's murderer?"

"I wonder," he said. He raised his head again and quickly met her eyes. "Mebbe the two do go together, but I can't make out why they should. I didn't even know Cole. That man back there in the cell I have never seen before. I'll go on back and see him because there's no time to waste. You wait here. No matter what happens, don't interfere; I'll have to handle this my own way, Miss Ware."

Again the confidence she had in him was obvious in her eyes. She watched the new marshal of Hayes withdraw from the office after removing the keys from that wall where he'd replaced them a few minutes ago.

MATT TIMBERLAKE felt his anger being framed by the knowledge that he had allowed this

man to make a sucker out of him once before. This time he was determined to make a sucker out of the prisoner. Something violent shook his thoughts; his relentless nature goaded him on, but he was as calm as he would ever be in his life.

The inmate of the gloom-draped cell occupied a cane chair which was tipped against the rock wall. Timberlake opened the door and stepped through the opening. He shut the door behind him and put the keys in his pocket. Less than six feet separated them and the stranger was as cool as Timberlake was. His slitted eyes gleamed in the lamps, and his thin mouth drooped in a line of cruelty. He brought his shoulders up from the wall, but didn't let his chair down to the floor. His eyes scanned the lawman's face. He was searching for something but Timberlake knew he wouldn't be able to find it.

"You're going to talk," the marshal said. "You've got two choices. This morning you tried to kill me; you repeated the attempt this afternoon. Somebody's hired you to commit murder and the same man had committed murder. You failed to take my life, you didn't fail to send John Cole to the burial parlor. We're playing for big stakes, the two of us. It's not a gamble with me, but it is with you. I'll win, either way you select to answer my question. It's Yes or it's No. Decide, partner—I'm not going to spend much time with you."

"You can't kill me in here," the man said, "because I haven't done anything to you since you entered this room; you'd be prosecuted if you shot me."

Timberlake smiled wickedly. "Yeah, but suppose I beat your skull and say you jumped me. Who'd be able to prove different. We're alone and have no witnesses to what happens in this pig tank. I'm not going to tell you again to talk and fast, Mister. Make up your mind."

He snapped his right side Colt out of the holster and grasped the barrel to use the gun as a cudgel. The prisoner's face lost its color, turned ashen. He shoved his hands over his eyes. Sweat beaded on his forehead and rivered down his sunken cheeks. Timberlake saw fear rock the man like a hurricane wind rocks a small boat. He spread his fingers and when he spoke, his words poured through them.

"I don't know anything—honest I don't. I was afraid you was comin' after me this afternoon or mebbe wanted me for something I didn't do. I got excited and lost my head. There ain't a soul sidin' me in this. Charley was drunk—"

Timberlake took a swift step toward the man and swung the gun. He gauged the blow, and the timing was flowless. It was a short impact, not hard enough to knock the victim unconscious. But blood appeared in bubbles where the gun butt hit him and soon the crimson broke loose and ran down the sides of the prisoner's face. He cowered, whimpered and then came up with a rush that, weak though he was from the shock of the lick, swept Timberlake back against the opposite wall.

The fellow made a hop-and-jump on toward the unlocked door. Timberlake was prepared for this, recovered his balance quickly and knocked the outlaw to the stone floor with a lashing out of the gun handle.

He kicked the man lightly in the small of the back, reached down and, seizing him by the slack of his shirt, dragged him to his feet. He tossed the flustered renegade away from him like he was a sack of cats. Then Matt stepped in quickly again and, lifting the weapon, bent his head to see the bloody face. The man hurled both arms up across his eyes and, quivering, yelled, "Don't hit me again, Marshal. I—I can't stand another one like that. I—don't—"

"Talk," ordered Timberlake cryptically. 'I'll kill you dead as that iron door if you don't. I'll swear you jumped me."

All the contempt he felt for the other man showed in his gray eyes. Impatiently he stalled, waiting for the breakdown which he was sure would come any minute, maybe another blow with the gun club.

"What makes you think anyone hired me to do away with you?" asked

the trapped outlaw reluctantly. "I—I'm swearin' you've got me wrong, Marshal. Why don't you lay off with that brainer you got in your hand? I'll tell you everything I know about Hayes and the boys around here, but I don't know nothin' about bein' hired to put your light out, shore as I'm standin' here."

"Stop that damn lying and tell the truth—pronto." Timberlake aimed another lick at the unbarred head, pulled it just a little and heard and felt the collision of steel and bone. The owlhoot's knees bent though he did not go down. More blood spurted out of the new wound in his scalp, and he was so bloody now all Timberlake could see were his eyes.

Recoiling, with his arms once more rods across his face, the prisoner groaned and made funny nasal noises. He lifted first one foot, then the other before he cried out weakly, "You're killin' me—you're killin' me by degrees. You've gone loco—!" The wall was a gleaming scarlet.

Timberlake rammed a spread palm against the man's chest and sent him lurching back upon the cot against the wall. Then he slashed at the upturned face, this time with the barrel of the weapon.

Flesh was torn out of the victim's left cheek and he slapped his hand against it. The scarlet gore ran through his fingers. "Don't hit me again, lawman! If you don't hit me again I'll tell you everything you want to know. I'm done for—"

Timberlake did not feel exultant. He was sick, pity had filled his chest, pity for a rat that would bite him the minute he got his chance. It was pity for a man who'd tried to down him in gunsmoke, but Matt Timberlake had always been in sympathy with those against whom the odds were great.

He seemed to be crazy; it couldn't be he was beating up a fellow fugitive for the law. This and sympathy he felt for a suffering person—a deep, burning sympathy—made him nauseated and globules of ice cold sweat soaked through his blue cotton shirt.

The prisoner lifted his head and suddenly began to talk, his words gushing out in a torrent of fear and desperation. Matt Timberlake, owlhoot, with a price on his head, and a lawman's badge on his shirt, listened to the most bizarre confession he had ever heard from a human being steeped in crime.

10

WHEN BOB DeSpain was ordered to get down out of the saddle, the leader of the group removed his Spencer from the boot and covered the marshal, levelling the rifle at his back. "Don't make any funny moves, pilgram," he grated. "We been told you might be a gun magician and we ain't takin' any chances. You walk right straight up to that cabin and don't look around. Start movin'!"

It wasn't a good idea to try anything here, DeSpain thought. He had a small pistol inside his shirt, but the odds were too great to use it. He might get two of them, but the other two would riddle him with slugs before he could reach the trees beyond the small cabin he'd seen showing its roof through the branches. He heard the sharp, metallic sound as the leader worked his Spencer's lever. He shrugged, wondering if they were going to blast him down and leave his body in this deserted eyesore of a hut. He'd already decided they were going to kill him.

DeSpain moved through the door. It creaked when he pushed it open. There was a smell of decaying wood and grass grew up between the boards in the floor. The light chocolate gloom was broken by a lantern's insufficient glow. An ancient table stood near the back wall and DeSpain made out a man's form beyond the smoky globe.

The light was shifted on the crude table. Now the flow of saffron illumined the face of the man on the chair. The four riders bunched

around DeSpain. Dragging his Spencer's stock on the floor, the leader stepped forward. Now the lawman could see the jonquil beams touching the eyes of the person at the table. Revealed was the sharp, scheming speculation which brightened the depths, made the eyes dazzle like a cat's, and DeSpain thought they were about the same color.

But it wasn't a man he was staring at. He was peering at a woman—one with a rough kind of beauty, pale and grim-lipped. Her hair was done up close to her round head. There was a red band holding down the long, curving tresses. She was turning a mask to DeSpain that was full of wickedness. She was dangerously cold; it would take a lot of adversity to break that woman.

Her face was vaguely familiar to the U.S. Marshal, but he couldn't see well enough to distinguish it completely. She opened her pale lips and her teeth sparkled. Her black-and-red shirt lifted and dropped with her deep breathing, being tight across the small breasts.

They were watching him through the flickering shadows. There was the weight of death in the room. A dog was howling over the vista and this sharpened DeSpain's impression of death sitting in on the play.

"All right, Cliff," the woman said, "how'd you get him and where? Don't take too long in telling or I'll blow an arm off your carcass.

Cliff was quite meek in this blonde cat's presence. Her voice seemed to freeze the leader and his shoulders, squared a minute ago, were slumping now. DeSpain wondered how a woman could make a man fear her to such an extent he lost all of his manhood in her presence. The other three men shifted their positions and one crossed the complaining planks to the door. He stepped outside and DeSpain knew he was posting himself as a lookout. This told the U.S. Marshal they were not secure in this rendezvous.

"Well, Kate," said Cliff, rolling his head around on his neck so he was always avoiding her wicked eyes, "we saw him come out of th' jail. We waited. He went to th' depot and sent a message. Must've been that. Anyhow he went to the railroad station and was there about ten minutes. When he came out, we rode up around him and told him what he could expect if he tried to put up a scrap. We brung him out here, and that's all there is to it. We had better luck doin' what you ordered us to than we figgered we'd have. He didn't even say a word when he found out he was our prisoner."

"I've never sent anyone out on as hazardous a job as I did you boys this morning." Kate rubbed her face with a slim, nervous hand. "Go on and rest now and feed your horses. You can leave Topez here to keep an eye on DeSpain till I get through with him. We've got to hit that bank at Hayes before it grows much darker. It must be all of four now."

Kate Starr! When it clicked in DeSpain's mind he grunted and tried to carve out her face in the gloom so it would be a perfect pattern. He knew he'd seen her and knew now her picture was in practically every law enforcement officer's files in the west.

"It was a dangerous mission," she reiterated. "There stands the greatest gunfighter on the frontier. He's better'n Bill Hickok. He's got only one match with a gun and that man who can beat him is Matt Timberlake. If they were to meet the fight between them would go down in history as the most outstanding gun duel fought in history. He's been known to kill five men at one time, and not get scratch. For that reason I figgered it unsafe to pull the Moffet bank job with him in town. You boys have done quite well."

There was admiration in her praise, and deep sincerity. DeSpain thought she had once been a lovely woman with a soft body and voluptuous arms. But she wasn't that now, although there was a faint wild allure in her personality.

"He gave in so easy I'm sort of suspicious," Cliff said, edging away from the table. "But we made sure we wasn't followed out here. There has

been a murder in town and the local lawdawgs are busy trying to figger it out. We didn't have no trouble from them. The killin' is goin' to make it dead easy to do the bank without much opposition."

"I have the layout," Kate Starr said, "know about the short steps up to the front door. We can park our ponies about twenty feet apart and I'll enter the bank alone. Topez can wait at the bottom of the stairs, on the walk. Moffet usually stays around there till six o'clock. There's only a quarter moon tonight and it'll get real dark before long. I don't want to prolong this deal. I'm getting out of this state as soon as I can grab enough money to lay low a while. Don't be surprised if you see Matt Timberlake turn up; he's alive and well. I saw him this morning and if it comes to a hard fight, Matt will be somewhere around and he'll side us. I know him too well to fear he won't."

BOB DeSPAIN gave a little start and because of the gloom he knew he hadn't given himself away to the woman owlhoot. They'd called her the queen of border bandits. The statement about the much dreaded Matt Timberlake being in vicinity of Hayes had struck DeSpain like a tiny bullet in the head. It had made his brain reel. For five years it had been his intense desire to apprehend the border's most sensational and most deadly outlaw. Gamblers had wagered big money on the outcome of the duel, if they should engage in one, and the odds were about even, DeSpain knew.

It was hard to keep his thoughts on the murder of John Cole with Matt Timberlake being in the country and within easy reach of his hand. However, there would be nothing easy about capturing the wily bandit. Unless he was surprised he wouldn't be taken without bloodshed. Timberlake was like a jaguar—always ready to spring with flashing, incredible speed. DeSpain realized how quick he'd have to be to down his bitter enemy. Although Timberlake had never done anything to him, actually, he had caused the Federal officers many headaches and profound disappointments.

"What're we goin' to do with him?" Cliff's worried voice exposed his fear. He was apprehensive, a coward at heart, DeSpain guessed. He wouldn't stand hitched, not for Kate Starr, not for anybody, if the jeopardy was too deep to give him six chances to the other side's one. The marshal had seen others of this one's ilk. When the gunfire was dense and the slugs raking their position, those rats would pull out. Kate Starr, though, would stay. As unredeemable as she was a criminal, Bob DeSpain felt a certain reluctant wave of admiration for her. She and Matt Timberlake were more dangerous than the James boys in a fight against the law. But the Government agent knew they hadn't worked together for two years, at least.

"It's an important question," Kate said, her voice softly modulated. "We'll have to get rid of him. I don't know how yet. But if he lives he'll come after us if he can and will always represent our gravest danger. I hate to kill a man without giving him a chance." She shook her head and cast her eyes over the Marshal's face. Bob DeSpain knew she'd show him no mercy; it was a matter of survival with her.

When she got up Bob saw her hair was the color of sand and her eyes, instead of being green, were brown as her smooth skin was pale. It was pallor painted on the tan background, and her lips, short, full and alive with human fire, were as vivid as redhaws. When she moved closer he caught the aroma of rosemary. She'd made the whole room redolent, dispersing the smell of decayed wood.

The men left, with the exception of Topez, a runtlike individual with a flowing black mustache and eagle-sharp black eyes, whose straw hat with peaked crown came down over his ears. Topez carried a knife in a sash around his waist—a yellow sash. His ears were large and earrings dangled from the lobes. In his slitted eyes was a covert alertness; he slithered his feet, he didn't lift them off the planks.

"This is my most dangerous body-

guard, Mister DeSpain," Kate said with a low purring in her voice. "He's docile as a kitten till aroused and then he's like lightning, fast as you are, and can draw his knife and slit your throat with the same speed of your gunhands. I'd advise you to be extremely cautious until I decided how to dispose of you."

She smiled lazily and passed him, going toward a curtained corner of the house. The room had been made habitable in a rough way, hurriedly improvised conveniences being made out of wood freshcut and sawed out of the timber. The curtain was an Indian blanket on a rope, and DeSpain reasoned this was Kate Starr's dressing room. A small display of cooking utensils graced the shelves behind a cookstove, the pipe of which crossed the room and went up through a hole in the ceiling.

The lean lawman was tired, his legs weary. He sat down in a chair at the table, rolled a cigarette, his first smoke in an hour. Topez, arms folded on his chest, stood like a graven imagine and watched him. There was no more animation in his brown face than in a picture. Sounds came from behind the heavy blanket in the corner.

TURNING about on his chair so he faced the red and yellow curtain, DeSpain said slowly, picking his words with care, "How long have I left, lady? When and how do you plan to execute me? I guess we'd better come to an understanding, don't you?"

"Before we leave for Hayes," Kate Starr said without rancor. "Topez will make it quick and noiseless. Won't you, Topez? We can't risk shooting you out here because we don't know who might hear the explosion. We have no small firearms. Topez is so good with his knife. Really, you'll never know you've been removed from this troublesome earth, Mr. DeSpain. Why did you ever turn to lawdogging? I once knew a man who had been disappointed in love, who turned to banditry. Could something have happened to you like that?"

"I take pride in the badge I wear," he answered. "To me it is an emblem from which I can, when unstrung and blue, derive a great source of strength. The fact that they—those who appointed me—have confidence in my ability to serve the cause I represent is always an encouragement to do even better and justify their trust. You and I happen to be on opposite sides of the fence and I can't make you see my side. I don't expect you to show me any mercy. But I know if you were in my power I'd be lenient to the point of letting you keep your life. I'd deliver you safely to the authorities to hold for trial. This way it seems I am not receiving from you a square deal. I have not been tried; I have been condemned without a hearing."

She laughed, but there was no joy in the sound. He saw the curtain move slightly and knew she was changing her clothes, probably preparing for the ride into Hayes and escape after she'd robbed Moffet's bank. He didn't doubt she would do it alone, with her men standing guard outside. He remembered she'd worn a gingham dress of some light color and he knew she wouldn't ride in that.

"Do you think I'd let you live to be rescued by someone passing here, or attracted to this cabin by the hope they might surprise us? It may be we have given ourselves away. We're never safe. As you state—you and I are on opposite sides of the fence. If you escaped death you'd ride into town and try to keep me from getting Moffet's money. No—the risk is too great for me to take, Mr. DeSpain. I regret the step I have to take to preserve my own welfare. As soon as I have completed dressing I shall be on my way. Topez will stay here alone with you until we have reached the road. Then—well, need you ask what will happen then?"

He judged by the divers tones of her voice she was moving around hurriedly and he bowed his head, thinking he was in a closer place than he had ever experienced before in those endless manhunts that occupy a Federal Marshal's mind and efforts. He had felt the impression of death

standing in this cabin the minute he'd entered it. Now he knew it had been his intuition warning him. He was sorry he hadn't fought it out with the men who'd accosted him near the depot. He might have downed them. As matter stood, he was helpless and he could hear the padded footfalls of death coming closer and closer.

The blanket lifted at one end and she stood there, in a black shirt and black trousers, a man's attire. Around her slim waist she wore a gunbelt, loaded with cartridges and sagging on her rounded hip. Her sandy hair was crowded up under the crown of a white Stetson and the brim was lowered to protect her eyes and to shield as much of her face as possible. There was a silver spur with a golden rowel on her left heel. Her short boots were of light leather and shone with a new polish. Again he caught that aroma of rosemary. Her small breast did not give her away and in excitement she might be mistaken for a boy. A pearl-handled Colt reposed in a black holster against her flat stomach, angling down across her left thigh. The end of the sheath was strapped around her leg to keep the gun from dropping out.

SHE MOVED slowly, lightly toward him, bent over the table and with her palms flat against the top, thrust her face close to his. The yellowish rays of the lantern coming through the soot-smeared chimney made her brown eyes sparkle. He thought her lips, drawn taut, were cruel and formidable.

"I must be riding on to Hayes," she said. He felt the deep stirring of a responsive emotion created by the allure of this creature. He shrugged. "That means the end for me. Why don't you give me a chance? I'm not going to stop trying to live, lady. I've got nothing to swap you for a chance. But I have formed the habit of remembering my friends. You might be laying somethin' aside for the future if you were to spare my life, Kate. I know how much it means to rob the Moffet bank and get away. I'd place a high regard on any sacrifice you'd make for my benefit."

"Handsome, you've got a mean way of swaying a woman's judgement." She lifted her shoulders. He read strength, defiance, steel courage in the demeanor of the woman. She went to the door, peared out and said something to one of the men in the sun shadows. She spun around and came back, he thought with reluctance in her steps and, rolling a cigarette, watched him coldly. She spilled some of the tobacco on the table. The fragrance of the prairie blew into the room.

"You're the most dangerous peace officer in this part of the west," she went on placidly. "If I were to spare you, I'd pay for my generosity in the end; you'd be my undoing. Besides, you'd try to frustrate my attempt to get Moffet's money. I want to rob his bank more than anything in the world. Do you know why? I have my reasons and they'll surprise you. Ben Moffet is Rodney Davis, and he rode the owlhoot a long time, robbing the poor and rich alike. The money he has in that bank came from the owlhoot road, Bob. You should've been investigating him instead of concerting your efforts on the murder of John Cole. I'm sure you would have found the two trails crossed. But—that's a horse of a different shade."

He sat bolt upright and his palm on the table gathered itself into a strong, blue-veined fist. He glanced up at her with a new vigilance in his eyes. "Can you prove what you say?"

"It's not my business to prove it," she said crisply. "It was your business to find it out and you failed. I'm telling you because it's too late for you to do anything about it. Ben Moffet either killed John Cole or he engineered the killing; he's able to hire all the help he needs for any purpose."

"Suppose we strike up a bargain," he suggested, spacing his words for effect. "If you let me go I'll permit you to complete your bank job and get out of the country. The only thing is I don't want you to kill Rodney Stone. I'll give you twelve hours to leave this county and then I'll start looking for you if your in the state of Kansas. There's a provision

there, too. If you destroy anyone's life on your exploit in Hayes, I'll start hunting you before the twenty four hours are up. You'll have to make a clean job of it. I keep my word; I've never backed down on it. If you go ahead and kill me you'll have every United States Marshal in the west scouring the brush for Kate Starr. How about it, lady?"

Her answer was quick and final. But he read the verdict in Kate Starr's brown eyes. They held him spellbound. When she spoke her voice was soft, and had a cat's purring underlying the tone.

KATE STARR flicked her cigarette to the floor and ground the fire out with her boots heel, twisting her foot. "It's a deal, provided you make one more stipulation in my favor. If you find out Matt Timberlake's in Hayes, you'll let him excape with his life as I will let you leave here with yours. I once was in love with Matt; I'd feel real bad if anything happened to him so we'd never see each other again. There are times when I think he's more than your match with a gun, and there are times when I figger it the other way around. I don't want to run any risk of losing Matt."

He was not surprised at her quibbling and he admired her for it. Now he had to make his choice. He knew she wouldn't spare him if she didn't get what she wanted. Her face was close to his and her eyes were watching him so closely he was afraid to let an adverse thought slip into his mind. *"I've never played for bigger stakes than this,"* he said to himself. *"I've driven a harsh bargain myself and I can't blame her."* Outwardly he was calm, but he felt the crazy beating of his pulse and the tightness of the band around his chest. "I'll not go gunning for Timberlake as long as he stays in the clear, not until you've left Hayes. But this deal is between you and me; I don't want to promise anything more about Timberlake."

"Keep your promise, Bob DeSpain. I'm leaving here and you can leave here, too, when you're ready. I didn't want to kill you in the first place; you're too handsome. I'm gambling a lot on your honesty. I've told you about Ben Moffet. You can rely on my word, too. You stay out of Hayes until we've been gone an hour. You want to do that to live, DeSpain?"

"Just don't kill Ben Moffet," he snapped. "Just don't kill anyone—"

She nodded and slid soundlessly from the cabin. Listening, he heard them mount their horses and Topez went out into the glare of the wanting sun and left him alone. Presently he heard the ponies hammering down the trail over which he'd been led a prisoner an hour ago. They raced hollowly across the wagon bridge and he could smell the dust which came lazily over the space from the road.

Bob DeSpain felt like a criminal when he placed his shoulder blades against the cabin wall and heard ghosts of silence banging their chains.

11

Timberlake came out of the darkness of the corridor. He had a sheaf of paper in his hand. Zelda was seated in a rocking chair in the open door. The sun had begun to turn the street red as fire.

Timberlake said, "Got an envelope?"

Zelda pointed to a drawer in the desk on the left side and he went around the swivel chair to get the envelope, pulling the drawer open and selecting what he needed, without making another comment. He turned slowly and with his forehead corrugated looked down at the floor. When he had made up his mind he nodded and, crossing quietly to the door, handed Zelda the letter.

"If anything ever happens to me," he said, "I want you to open this. But don't do it until I'm where I can't open the flap myself. I have a reason to ask you to keep my trust; I have found out a lot of things I didn't know when I went back to that cell."

"I could hear the man scream out

here," she said. "You must've nearly killed him."

He said heavily, "It was bad. I had to make it bad. If he had talked nothing would've happened. I wonder why people are often so stubborn, they rob themselves of all chance to live and be happy and free."

"I don't know," Zelda Ware wet her red lips with the tip of her tongue. She was saddle weary and the armpits of her shirt were dark with sweat. Her deep breasts lifted the white buttons on the shirt and let them down again. "No, I don't know, Dave. People don't always understand themselves. But—did you find out who killed John Cole?"

He nodded. His face got very sober and the lines got very prominent. "I've learned as much as anyone knows, mebbe more. I'm going out and when I come back, if I do come back, I'll have the killer with me. I'm not promising I'll return, though, because it may develop that I can't come back. You'll understand when you read this letter and you'll know the murder of John Cole has been avenged. I didn't know the man, but a lot of fine folks did."

She got up and took his hands in hers and stood staring at him, with something in her eyes he'd seen in a wounded bird's.

"I'll not insist upon your answering any questions now, Dave." She peered at the tips of her long fingers. "But I hope you don't run into danger and not—not come back. I hope I'll never have to read this letter; it will be fine when you open it and read it to me."

He walked to the door, grasped the jamb with his left hand and shoved his hat back on his head. "Thank you," he said to this girl who represented the thing he'd always feared—Johnny Law. The fact he was wearing a badge at the moment wasn't of any importance to him then. He saw himself as just what Johnny Law had always maintained he was—a dangerous owlhoot, ready to kill to evade justice, willing to swap lead with anyone who dared to stand in his way. He went out, solemnly, with dignity in the carriage of his head and the squared defiant shoulders. The cooling wind of twilight touched his face and eased the burning of his eyes.

* * *

Matt Timberlake stepped to the edge of the walk, and went with a long stride toward the saloon which now had a wreath and black crepe on it. The lamps were dim inside, but at the end of the mile long bar a brighter light burned and brassed four faces, three men and a woman. The marshal knew the woman. He stepped across the threshold. He shoved against the batwings with the flat of his left palm and was in the room before the occupants saw him.

"We've locked up for the night," Mattie Collins said, stepping gingerly around from the end of the counter. She still wore her black dress and her eyes glittered ominously through the yellow radiance at the interloper.

"I'm sorry," Matt said. "But I have come to talk to you about the murder of your husband. Now he could see the shapes of the three men against the bar. They were gunhawks. He decided they were desperate and of course dangerous, imported for the express purpose of protecting the man they'd failed to protect from death—John Cole. Evidently they were in this pretty woman's clutches and she wasn't one to rifle with. However, he'd made up his mind.

"I don't have anything more to say about Johnny's misfortune." She stepped closer to Timberlake but still was halfway down the room. "Who are you? I have never seen you before—"

"I'm the town marshal," Matt said, "here to arrest you, lady, for the crime of murder. You killed your husband. It came as a surprise to me. Everybody figgered Ben Moffet was behind the killing; everybody got fooled. Reckon mebbe you allowed such would be the case and assumed it for a sure thing. Funny how the truth leaks out. One of your hired renegades got wise and talked. Do you know a man named of Fred Sanders?"

The gunhawks exchanged swift glances. They did not lend to the se-

curity of the lawman in the middle of the floor. Timberlake knew all Mattie Collins would have to do would be to give the signal and guns would begin to blast the town's peace wide open.

"If you had any sense," she sneered, "you'd not have come here to say such things. You don't know it, but you're as good as dead; you'll never escape from this room alive. These men are my friends and they are professional gun-fighters." She was breathing hard and Timberlake heard the rasping of her breath as it poured in and out of her scarlet mouth. "It's like putting your name on your own death warrant."

One of the gunslicks walked away from the bar, leaving the other two with their backs to the mahogany. Timberlake observed this indifference in their attitudes and reasoned that the man who'd moved out to face him was the best of the lot and the others would need do nothing but watch the lawman be gunned down. He ransacked his mind for something logical to say to stave off the showdown. It wasn't that he'd miscalculated; he'd just been negligent and had practically trapped himself. It was like something he'd done once before. He was trying to act within the limits of the badge he wore. He had a certain responsibility which he mustn't forget. If they drew on him, then he'd have to do the best he could. He didn't want to risk being investigated for killing one man or a dozen, if he got out of this scrape alive. He was Matt Timberlake, fugitive bandit, wanted by two dozen peace officers and perhaps more.

But having carried it this far, he couldn't turn back; if he tried to leave the saloon, he would be shot down. He could probably be shot down anyhow. Looking across at the gunhawk he saw he was small, wiry and dark of face. He had two Colts with white handles strapped down and a wide belt loaded with cartridges the brass heads of which studded the shell pockets. He was clad entirely in black, but there was a white star embroidered on his shirt over his heart. His left hand was gloved, and this told Timberlake he would draw with his right.

Sawdust covered the floor. Timberlake took a quick step backward, scraping through the stuff and keeping his eyes on the three gunhawks. It could be that one had stepped away from his colleagues for the sole purpose of detracting his attention from the others. It was a new trick but quite practical, if it worked.

TIMBERLAKE wasn't a big man but there was power in his neck and shoulders. He wasn't tall, his legs were muscular and he was agile on his feet. He'd been told his appearance was deceptive. He bore a few earmarks of the commonly accepted gunfighter. He still had that look of trained intelligence in his face he had acquired in law school. Maybe he had the pious air of a preacher. He'd been told that, too. He thought it was Kate Starr who'd first called his attention to his innocent look.

"Are you going with me, Mrs. Cole? It would be risky if you saw fit to do otherwise. There's a signed letter which Sanders gave me in the sheriff's care. It tells all about what happened to John Cole. Sanders is behind lock and key. You'd better give up peacefully and not make me any trouble. If you can prove your innocence you'll be all right; it's just that things stack up kind of high against you, lady."

"You're not taking her away from here." The gunfighter craned forward. The lamp struck his face and showed the deep evil of his expression. He placed his feet wide apart and stood like a rock so Mattie Collins was shielded by his body. But she moved quickly, smashing out two of the lamps.

Timberlake had little chance of missing this target. His first shot cracked a sullen echo that reverberated in the room, not loud but sharp. His antagonist was a mite slower and his bullet whistled through the batwings. Timberlake's left gun broke a ceiling lamp. When broken glass rained down the two men by the bar scrambled out into the floor, drawing and firing in the same motion. Both

Timberlake's guns answered, in fact-beat the two shots by a fleet interval that couldn't be measured.

The two men were on the floor. One of them crawled about in the sawdust. The last thing the marshal of Hayes had seen of the first gunhawk was the white star on his shirt pocket become wet and crimson.

He knew he'd been targeted but the slowness of the expert killers had saved him. Timberlake's second slug hit its mark, thumping into the man's chest. Now the last of them was running at him. Matt couldn't hear the woman but knew she was catfooting it around close. He'd forgotten his back was toward the street lights and he could be seen. The one burning bracket lamp showed him the two dying on the floor and the woman's pale face near the bar. Timberlake felt his antagonist drive a smashing fist against his chin. The second blow floored him and Timberlake groveled around in the sawdust.

His opponent was larger, heavier, and was on top of him as he wiggled to get out from under him. The woman stood near them, screaming out for the gunslick to finish the damned lawdog. They rolled along the boards. Timberlake heaved against his antagonist, straining his muscles to hold the gunslick in the air, forcing his shoulders away from him, he drove his knee into him. The other sagged a moment, a dead weight. Timberlake rolled away. Mattie Collins struck at him with a chair. He barely missed having his head torn off his shoulders. The woman's companion was crawling after him. They were not making any more noise than they had to because they were so close to the street. Sweat stuck Timberlake's shirt to his back.

Mattie Collins' hoarse voice said, "Get him, Chuck. Use your gun. They'll be rushing in on us from the sidewalk before we can stop him if you don't hurry." She was lifting her skirts high and trying to stomp on Timberlake's hands which were spread open on the floor. He grabbed a slim ankle, jerked it and brought her down in a heap squarely on top of him. He felt her soft hot body flounder around and the bareness of her as she rolled over him and away just as her henchman reached Timberlake's feet.

The marshal kicked but couldn't budge the tenacious gunhawk who still imprisoned his feet. Then Timberlake rolled over quickly and crashed a bootheel into his face. The man reared back and let go. He resorted to his gun, fumbling to get it free of the holster but lying on it and having to move over again, to draw on the town marshal.

Mattie Collins had achieved her footing and again stomped at the marshal's hands. He clutched the lifted bottom of her skirts and pulled her over his head and she fell in his face, shutting out the street light and stopping his breathing. He felt the fluffy material in his mouth and eyes. She had one knee on either side of his head and was holding him down when a commanding voice from the door, said coldly: "I've got you covered! Don't anyone move in this room!"

Timberlake lifted the woman bodily and hurled her away from him.

* * *

Somewhere before he had heard the new arrival's voice.

Timberlake sat up, the wind sawing out of his lungs. The shadow in the doorway moved. Cool air drove through the parted batwings and washed the sweat from Timberlake's broad face. Again came a stern command from the straight-formed silhouette with the yellow street lamps making a shining circle around him.

Timberlake called softly, "I'm getting up out of the sawdust, friend. I hope you don't mind?"

"All right, Jannings. But watch those gila monsters there with you." The shadow lifted his left hand in a gesture of assent. The other hand held the unwavering silver-mounted gun. A big clock on the wall struck five. Timberlake got up and looked out the window into the street. A group of mounted men raced by the saloon exploding dust against the plateglass.

The hired gunslick and Mattie Collins stayed where they'd been

stopped by the voice of the newcomer. The clock's echo lingered on.

* * *

COOL AIR ran against Zelda Ware. She could smell the dust and rosin's sharp scent from the false-front's that had blistered in the heat of the day. The low frame buildings squatted together in a friendly huddle. The prairie was alive with perfumes and dank creek smells, and the coyotes and chipmunks and tree owls and bullfrogs all combined to disperse the stalking quiet of trouble and to promote the interests of peace. As she hurried along the board walk through clouds of insects under the low wood awnings, she caught a little bit of the tranquillity of the country-side. The store lights coming through the windows gilded the sidewalk and touched the horses tethered to the pole-racks.

Zelda had a head full of exotic thoughts which had to do with a man who mystified her. But she had formed for this person an attachment that bordered on a beautiful friendship. She glided across the street and the lamps of the bank's facade dropped a warm veil around her. It was not dark, but a mild chocolate gloom made the illumination brighter.

She could see the man's face and in this there was some consolation. She did not imagine what she saw, knew it was actually there to be seen. She could see the white scar and the brooding eyes. His mood had changed his eyes when they'd been together. She understood part of him. She had seen them inscrutable and she had seen them cruel.

This girl who had come in Hayes, and could remember when it was a tent city, with heavy freight wagons thundering through the muddy and rutted streets, had become hardened to most things that stirred women to sentimental expressions. She had seen gun fights and fist fights and hangings committed by Judge Lynch and his vigilantes. The desperate, bitter struggle had continued. Men had died to promote the interests of decency. Men had died because of principles they'd brought with them from the civilized and cultured places of the world. Owlhoots had openly burned and pillaged and raped women.

It was hard for anyone to peer back at the past and find in it any reason why Tom Ware had stayed on and reared his family, a son and a daughter. He'd been cheated by land agents and had suffered because of cattle thieves and Indians and hordes of masked men who had stolen his grain and his garden foods. He had been shot by renegades and had lived to become sheriff of the county, a job in name only, governed by the boss of Hayes.

Zelda had seen Ben Moffet for the first time when she was fifteen; when she was eighteen, Ben Moffet had announced his intentions of marrying her. This was a part of the price Tom Ware would have to pay for the office he occupied. A small salary and a few commissions were the best he could hope for. There was nothing beyond a meager existence for the man who once had been financially able to provide well for himself and his children. Everything had been swept away by marauding bands of masked men.

Zelda had fought against Ben Moffet in every way she could fight. In the first place she cared nothing for the Czar of Hayes, nor was she interested in his money. A man like Dave Jannings would have stood a chance in the conquest for her hand. She could not forget what she'd seen in his eyes. She had seen them blaze with anger and she had seen them inscrutable. She seen them tender and she had seen them cold. She had seen the lines dig deeper past his mouth. She had seen him carry his head with pride and she had seen him when he let his shoulders droop. She had the impression he was fighting against terrible odds and the utter hopelessness of such a struggle. The man's impalpable mask was a face to her that he could never conceal by resorting to the same effort he would in a poker game where the stakes were large. Certainly no larger stakes had ever been contested for

than the stakes he was playing hard to win.

Never before had she encountered such a man; never again did she expect one like him. Dave Jannings was fearless, he was able to look after himself but she felt as though he needed mothering. The stealth of him was similar to that of a wild beast, and his speed matched the lunge of a puma. His entire body seemed in perfect coordination; he was like a big clock with his mechanism jealously guarded by little creatures you couldn't see, but very sinister little creatures. When she asked herself about him, she was surprised she knew so little. She remembered how he'd laughed and said he was an outlaw.

Zelda had never doubted Jannings at all. That chiding remark about being a bandit had carried nothing to bother her. Her intuition was at work and said she could trust him. How unlike Ben Moffet, his slitted eyes, the banker's shifting gaze, his hot temper and small views where women were concerened—there was nothing gentle about the Boss of Hayes.

Ben Moffet was overbearing; he wore a dollar mark for a brand and his heart was a money bag. He was powerful but he'd never succeed in controlling Dave Jannings. The attachment she had found for Jannings must not be permitted to develop into anything greater than that. And, although it often surprised her, she felt sure this feeling would never develop.

THERE WAS nobody in sight when she mounted the short flight of steps before the bank. Golden light painted the sidewalk with gilded beauty and the expensive lamps inside the brick structure were bright in their radiance. The door was open. Ben Moffet always worked late; he never left the bank before six. Zelda paused in the doorway and glanced across and up the street at the hotel. The blinded window was like a vigilant eye and Zelda saw the green shade quickly lift itself away from the glass and then fall back again, as if in disappointment.

Yes, she knew about the posted sentinel; she knew there was a gun ready up there to destroy anything that threatened the safety of the institution. The adept marksman up there was biding his time, had been biding his time for months, patient in his waiting, but knowing sooner or later he would be called upon to earn, all in one minute or not more than three, the wages Ben Moffet had paid him over a long period for doing nothing but crouching there at that window—a very hard job, though, she suddenly realized. She was very nervous and the presentment of approaching doom glowered at her now and she couldn't evade the warning eyes of the hidden beast. It were as though doom had it in for her and was stalking her wherever she went.

She went on across the threshold and past the wire cage behind which an overworked and underpaid clerk stood idly waiting for business which not infrequently was rife at this time in the afternoon. Ben Moffet slewed round from a small safe in one corner of his office and in his ringed hand flashed a savage looking short barreled Derringer. Sweat stood in large globules on his face and his eyes held the glitter of a serpent's, being just as cold and deadly.

Zelda recoiled and uttered a startled exclamation and saw the banker's good-looking face blanch and he swiftly poked the gun away, hiding it inside the breast of his Prince Albert Coat.

"You've been a long time getting here," he grated, his anger apparent in the drooping of his mouth at the corners, his eyes glinting. He was breathing hard. "Seems to me you don't appreciate all I've done for you and your father who is sheriff in name only and not capable of giving proper administration to his office. I—"

"Please don't let your temper get away from you, Ben." Her voice was low and had a velvet touch. But she was struggling with her temper, too, and it was all she could manage to restrain her impulse to tell him where to go and stay if he didn't like the way her father was handling the of-

fice. "What's wrong? Have you endangered your life by acting unwisely, I should say without discretion. There's something in this world besides money; surely you've lived long enough to findout money won't buy you happiness and—and—life."

"That's neither here nor there." He crossed to the door, closed it and stomped back to the table, a handsome, well-formed man save for his fleshy stomach and his unsavory eyes. "What has happened is all that matters. I have become a suspect in the murder of John Cole. The U.S. Marshal was here while ago. If it gets out I'm looked upon with doubt in this case I'll be in great jeopardy. I fear for my existence, may be shot down by some fanatic who considered John his best friend. You can't tell. This town is full of idiots who like to appear as valiant and who have no use for me and my money making tactics. Where's this fellow you call Jannings, the man I hired to serve as town marshal? Has he run out on us?"

"Right now," she said evenly, with her eyes avoiding the banker's, "Dave Jannings is giving his whole attention to law enforcement and I'm quite sure he's hunting for the real killer of John Cole. If he thought you were the culprit, Ben, he'd be here; he takes unlimited pride in the badge he's wearing and nothing would daunt him if he considered it in his line of duty to remove, not even you."

The banker was astute enough to see he was losing ground, and his attitude underwent a swift change. He soon had become his old, fawning self where the girl he wanted to marry was concerned. He'd already made a fool out of himself, and she wasn't to be soft-soaped. She knew his real nature and back-tracking wouldn't do him any good.

"I say, this man DeSpain was in here and I didn't like the things he said to me." He paused, lit a cigar and with this rolling from one corner of his salacious mouth to the other, clasped his diamond ornamented hands behind him. He rocked back and forth on his feet. "He all the same as told me I was supected of doing away with Johnny. You know I'd never entertain such a thought. I was aware of the precarious spot I stood in, if anything happened to the government postmaster. Do they think I'm insane?"

She said then what she actually felt was the truth. "No, Ben—they think you're money crazy. Bob DeSpain is a cautious man, has an admirable record. He's sure death with his guns, and he's fearless. I figure he had a reason for coming here, perhaps not to pump you about your possible position in the murder, but for some reason you may have overlooked. It could be about your past. People might have told him you came here out of nowhere and bought this town, from roof to floor and he, being what he is, a man hunter and always on the trail of bad hunter and always on the certain the facts by personally interviewing you."

His face darkened and he suddenly bent over the table. The lamplight shone on his glistening soft flesh. "What ever gave you such an idea?" Nervousness made his voice unsteady. She wondered if she'd driven the nail home. The crashing, staccato sounds of gunfire smashed the quiet atmosphere of this room. From down the street the crescendo rolled in a malignant wheel that swept everything before it. Ben Moffet jumped halfway to the door, halted and with his face bloodless, whipped round to stare at Zelda. She listened to the sounds in the street, remaining cool. She read the fear the banker tried to keep out of his face.

12

THE STRAIN of imagination in Zelda Ware and an ability to feel deeply were at their peak when those shots rang out. The reverberation had not completely died out when she acted, as she usually did in such a case, without hesitation. She rushed through

the door, her heels pounding out a tapping as she hurried through the outer room. As she went down the steps to the sidewalk, her eyes were round sprung and her hand hovered over the butt of the silver mounted Colt in the holster on her cartridge belt. She directed her fleet steps in direction from whence the gunshots had come. She knew it was *Cole's Saloon* across the street from the hotel and less than fifty feet beyond the corner of the intersection.

She had the horrible fear of finding Dave Jennings dead or engaged in a fight with outnumbering forces. But when she saw the saloon's steep darkness and heard a scuffling of bodies on the floor just inside the batwings, she paused, whipped out the Colt which her father had often said was the best gun he'd ever owned. She clasped this against her bosom and slapped a palm against the doors, thrusting through the wings and stopping with both of these against her. The stream of light falling over her shoulder revealed the struggling bodies in the sawdust. The man was still holding and tugging at Jannings' feet.

Zelda went on deeper into the room and batwings whistling shut behind her. She held the .45 so it covered everyone in the saloon. It was her orders Matt Timberlake heard. To him she was a shadow only until he'd reached his feet. He stepped slowly toward her, keeping his hands raised. Now there came confusing sounds from the street, as men mounted and afoot, came dashing to the scene.

"Keep them covered," Timberlake said. "Where's Bob DeSpain? Reckon he'll want these wolves to haul to Topeka. We'll run them over to the calabose as soon as we can get them out of here."

"DeSpain's out of town," Zelda said. "I haven't seen him. He would've been here by now if he wasn't too far away to have heard those shots. We'll have to guard against a lynching. John Cole had a lot of friends."

Timberlake had his Colts on them and they were driven out into the street and marched briskly to the jail. Mattie Collins was furious and proclaimed her innocence, said she would sue them and wouldn't be in jail an hour. But they ignored her abuse and profanity. Timberlake had small patience with her; he did not believe she would produce evidence of her innocence. "You had him killed," he said. "You tried to get me killed because you knew you were in a close pocket. Your attitude when I accosted you back there is proof enough for me, lady."

They shoved them through the soft dust and were joined by several law abiding citizens who flourished shotguns and revolvers. When they reached the county jail, Zelda went in and unlocked the cells. In the bracket lamps Mattie Collins looked haggard and old and the lines in her face showed she hadn't led a very decent life. Her hair was disheveled and her face pale for want of rouge and powder.

In the street were at least half a hundred mounted and dismounted men who, rattling their firearms and lifting their voices, shouted, "Let's have quick justice. Hayes is goin' to be cleaned up now." Their voices mingled and it was hard to distinguish what they were saying, but Timberlake caught the gist of it. They wanted the prisoners so they could hang them without giving them the benefit of a trial.

The mob's low grumbling came as a threat. Timberlake looked up the street. He could see the hotel and the sinister blind. The sun was cerise on the glass, The shade moved slightly, enough for Timberlake to see the old sentinel was on the job. His ready Spencer was covering the pedestrians on the walk, and the first sign of danger to the two officers would bring a spurt of flame through the covert peep-hole. And then, suddenly and very abruptly, Matt Timberlake came to a dead standstill. He had forgotten something and he reached back in his mind to grasp it, and bring it out in full clarity.

Sternly reminded of his meeting with Kate Starr and her threat to rob the Moffet bank before it closed, the fugitive-lawman felt cold sweat make a thick paste on his forehead. For all

he knew it was too late to stop her. He couldn't turn back and leave the captives in Zelda's charge. She was alone and to do this was to risk losing the prisoners to the angry mob, probably for a lynching bee. They would overpower her and the hanging would come quickly because, once Mattie Collins and her gunslick friend were in the mob's custody, there would be no recovering them before the noose was thrown around their necks.

With bated breath Timberlake continued on his way. He knew what he'd do the minute he was free. Right now, however, he'd have to stay with Zelda; nothing else mattered. It seemed an hour before they reached the tier and locked their prisoners securely in strong cells, with Mattie screaming out at the top of her lungs, "You can't kill us like this. They'll take us out and hang us before we've been given a fair trial. I—" She batted the door with her clenched fists and kept up a steady stream of profanity, not sparing Timberlake and certainly not sparing Zelda Ware.

"If I get out of here alive," Mattie grated to Timberlake, "I'll have Fred Sanders burned alive for what he's told on me—all lies, every word. Sure, he killed John, but I wasn't in it; I didn't know my husband was dead and was with Bob DeSpain when we found the body, and you can ask him."

Both Zelda and Timberlake ignored her. The gunhawk in the adjoining room said nothing. He was taking it without giving vent to his feelings.

IT WAS TWENTY minutes till six and the bank's closing time when Zelda stepped to the office door and peered out at the mob in the street. She lifted her voice and said, so they could all hear, "You folks go home. There's never been any leniency for killers shown in the courthouse and you know it. If these prisoners are guilty they'll be hanged, you can be sure. You'll have to remember the U.S. Marshal's in town and he'll ferret out anyone engaged in planning a lynching party. The federal law is strict about that. You don't want to get Uncle Sam after you, do you? Besides, why create a bad impression on the goverment's crime investigator who is a stranger, practically, in our town?"

There was persuasion in her tone and the mob, much to Timberlake's amazement, mumbled a few threats and gradually disappeared, until not one of them was left in the street between the jail and the bank. He'd been afraid to leave Zelda alone, not being able to account for her father's absence. He was beginning to believe he had met the most wonderful girl in the world.

"You'll be all right now," he said placidly. "I've got a little business to complete yet tonight. The sun's down now and it's dark and I want to take advantage of the few minutes that's left. I want to see a man at the hotel."

She looked at him, sitting there at the desk all fagged out, with something in her blue eyes he'd seen before but something he'd never understood. Her eyes were soft and worried and clinging and the wistful expression of her crimson mouth impressed him, moving him strangely against his will. There was nothing to bridge the gap between them, nothing he could do. He was powerless to change the situation. He was an outlaw and there was a price on his head. The reward placards posted all over town made it extremely hazardous for him to spend another hour in Hayes. He touched his strapped on sodbuster with the tips of his fingers and went out, his broad shoulders sagging from the weight of his embittered thoughts.

13

BOB DeSPAIN waited in the cabin, giving the owlhoots a full hour's start before he began the two-mile hike back to town. In his high-heeled boots it was rough walking and the sweat oozed out on his face because he wasn't used to walking on a wagon road. He took

his time, but even that didn't keep him from getting leg-weary. The heat died down somewhat and his face was fondled by a cooling wind. Once he paused to rest. The bridge offered him a place to recover somewhat from the exertion.

He stalled here ten minutes. The water rustling in the creek below him was cold and clear and he could see fish swimming around. A giant frog basked somewhere in the shade of willows and challenged him with a bull-like trumpeting. It troubled him to think he'd broken the oath of his office by making the promises to Kate Starr to stand idly by and permit her to rob Moffet's bank.

However, details lessened the severity of his disloyalty to the badge he wore. He was splitting a camel's hair, he figured, and when he had succeeded in this he wanted both halves. "I'll shoot it all on the chance of snagging Matt Timberlake along with Kate Starr. He's either in on the planned holdup of the bank or he'll join her the moment she leaves the state. I'll be on hand to get the bandit."

Timberlake was a mythical figure whose description was not known for a certainty by any police officer in the west. But DeSpain remembered the face he'd put together in his idle hours, as well as the somewhat short, solid body of the fugitive owlhoot. The most dangerous of all outlaws, Timberlake had not taken a back seat when the James boys came riding their stolen horses west. DeSpain did not believe he would take a back-seat for anyone. Only a bullet in the man's heart or some equally vital spot would ever stop this terror of the border.

A rush of dynamic tension galvanized the U. S. Marshal and he peered furtively but vigilantly into the shadows lining the road a piece ahead. Something had moved and now he saw in the roseate shade a white, veined hand moving out of a gooseberry bush—an empty hand. The fingers opened and closed, then the whole arm stiffened and was lifted as if to signal the blond young man on the bridge.

DeSpain reached the side of the road and bent down. The hand was that of an old man and the fingers were bloody. The blood had dried and was dark, and it ran down the arm into the blue cotton sleeve. It took but a minute for the marshal to uncover Sheriff Tom Ware. The latter had suffered a terrible beating and a bullet hole showed puckered, blue and ugly in his neck. DeSpain tore the collar away. Ware moaned feebly, tried to sit up but the Federal officer gently pushed his head back until it reposed comfortably upon a pile of grass.

"They almost done me in," Ware said. He opened his eyes and looked up at the sun. "But there ain't much time to waste. There was five of them. A woman headed the band, I think she's Kate Starr. She didn't want them to be so unmercifully but they took the bits out of her teeth and done as they pleased. They recognized me as sheriff of the county. They were going to rob Moffet's bank and said they didn't want me spoiling the game."

"Who shot you?" DeSpain felt anger wresting away his composure. It made him see red to think they'd treated an old man in such a cruel way as to leave him to die of his wounds while hidden in a bush where he couldn't be seen from the road.

"She done that—Kate Starr. Said I'd die anyway and she'd put me out of my misery. Never saw a woman so riled up as she was at her men, to tongue-lash them the way she did. They was coming about three hundred yards ahead of her, two of them. I was out looking for the new marshal. Jannings is his name, Mister. He's a hellstorm on wheels, if you ask me. They saw me and before I could get my nag to moving faster away from them, they overtook me and knocked me out of th' saddle. They tromped me and one of them hit me in the face a dozen times with his whip. I'm just about dead. If I don't live to get to town, you tell my daughter what happened. That new lawman we got for th' town as marshal, will take th' hide offen that whole rotten bunch."

DeSPAIN thought of how Ben Moffet, alias Rodney Stone, fugitive owlhoot, had hired the man about whom the sheriff was talking, and he winced. He'd begun to believe Moffet had imported the marshal, without saying anything to the Wares, and had acted like he'd never seen him before. Otherwise he wouldn't have been so quick to employ him, having a shady past such as his. He would have suspected the stranger, as no doubt he suspected all strangers. A man with a bandit's bloody career behind him wasn't so easy to take up with people he didn't know.

But there was so much to think about and do, DeSpain wondered how he was going to get it all done. Even though Kate Starr wasn't diretly responsible for this outrage against the old man lying in pain and growing weaker at DeSpain's feet, the bandits under her had violated her promise. There was no longer any necessity for keeping his word with Kate. She'd fired a shot, thinking to kill Tom Ware and had missed inflicting the mortal wound.

"I guess we don't have anything binding me to my agreement with you, young lady," Bob snapped, as if he were seeing her right there in front of him. "I'm going to haul you in if I can get to Hayes in time to prevent the robbery. I'll haul you in anyway, no matter if I have to chase you to the Mexican border." Then he said to Ware, "Where's your horse, Pop? We've got to have someway to carry you to Hayes."

"He's around them trees nibbling grass, I reckon," Ware answered. "Wait, if I can whistle I'll fetch him runnin'. One thing about it, Old Reb never left me in all th' time I've had him which has been since he was a colt, and I figger he ain't done it now. Help me a minute." He tried to sit up, failed, but managed to fork his fingers over his mouth. He made two efforts to whistle and the third time he accomplished his purpose. Loud and shrill the sound went echoing across space.

Bob saw the grass move and finally a black stallion with fiery eyes stuck his head into view around a cottonwood. He nickered, hesitated, then came slowly toward the old man reclining on the ground. Reb was there.

* * *

ZELDA WARE sat at the old battered desk, hearing the woman captive rant and the thunder of her voice through the confines of the corridor. She did not give a thought to Ben Moffet except to remember how he'd acted before the gunshots had interrupted their conversation in the back room of the brick structure across the street. The dusk had thickened until she could see fireflies in the open door and insects hummed around the lamps bracketed to the white wall around her.

The scents of summer were in the air. She was a trifle amazed at the way she had succeeded in handling the mob and dispersing the threat of a Judge Lynch hanging. On her agile young mind now were stranger thoughts about the man who had just left her, to go on another errand the nature of which he had failed to explain to her. She was far from sedate. Doom hovered around her and the silent street outside the door augmented her feeling of discomfort. She didn't want anything to happen to Dave Jannings. She would rather see him abandon his job as marshal and leave Hayes then to fall with some renegade's bullet in his heart.

Strange how she was worried about his welfare. Although he was a rough, grim-faced man there was no trace of basic brutality in his make-up as she had been afraid at first would prove the case. He was leather-tough, all true enough, but underneath the hardened exterior was a finer, more cultured nature. Even in his worst moments he was not without a certain gentility of manner which found response in her own cultivated refinement. Instinct told her he was interested in her welfare, too, and this puzzled her. Everything was quite indistinct in her mind about his complex personality. He had not spared Fred Sanders, and his cruel treatment had obviously left Jannings a little sick. There'd been nothing about the pistol whipping he'd administered to the prisoner that the new marshal had enjoyed. Only he'd

been strong enough when the time came to manage, without trepidation, the accomplishment of a severe task. She had never seen Jannings so pale, so listless as immediately following the ordeal.

Zelda Ware did not feel the same toward the man she'd influenced Ben Moffet to hire as she did toward Bob DeSpain. There were of a different species, a definitely conflicting breed. Both were strong, inconsolably determined, and nothing could turn either back from whatever governed his emotions. Where DeSpain stood out in purer and less perplexing light, Jannings diminished in her understanding. But it also was the same when she reached out for certain admirable qualifications which belonged to Jannings.

She knew she would be able to love one of them and to be loyal and undaunted in her deep friendship for the other. DeSpain was in her heart, Jannings in her brain. She would not, however, recoil from Jannings nor desert him if he needed her. In those two men were rocklike wills, and she had every reason to believe she was the woman in both their lives.

A small smile stood on her face, but it vanished when she suddenly came to realize Bob DeSpain and Dave Jannings could never be friends. It occurred to her there was something strained in each man toward the other. She brought them together in her mind. She saw Jannings and his swift, natural ease of movement, and the same sure quickness was in Bob DeSpain's agility. It was the perfect coordination between their muscles and their brains and their animal like speed in getting around when in a hurry. That interested her chiefly at this time. They had the fast hands of professional gunfighters. They had the soft tread of creatures of the wilds. There was at least four inches difference in the height of the two men. Jannings was about five foot eight, Bob DeSpain a good six feet tall. DeSpain was slender of build, with wide shoulders. Jannings was wider through the shoulders and thicker through the chest and, in fact, quite blocky when held in comparison to the Federal officer.

She got up and went to the door and came back and sat down again. It no longer was a mystery why Jannings had been attacked by Charley Hoyt and Fred Sanders, that morning when he'd left the hotel and started for the jail. Mattie Collins had been sure she could handle the Wares, but the new lawman had scared her and she'd gone too far in planning the murder of Johnny Cole to turn back. She'd decided to get rid of the new marshal for safety's sake. Well, Jannings had filled the jail practically full of renegades and he hadn't been on the job two whole days yet. Now he was on another strange mission and no doubt he would return with another prisoner, or perhaps more than one. He was fast cleaning up the town.

Then she heard a slight scraping noise at the door, and the next minute she saw a form appear in the waning twilight. A gun muzzle glinted when th' lamps struck it and a man's resonant voice snarled, "Get 'em up, Miss. Lift 'em high!"

HE CAME on in, a big man with straw colored hair and pimples on his chin. She was looking closely at him, jolted by his command and feeling her heart beginning to drum with such force it pained her. She raised her hands and got up, as the intruder stepped toward her, the sinister Spencer held on a level with her left breast. The boot heels of another man stabbed a board walk and a voice said, "You stay there and see that she doesn't try to sound an alarm, Cliff. We'll take Moffet's Bank in a hurry."

It was a woman who spoke. She had a deep contralto voice. Zelda Ware faced the man, trying to see around him, but the woman did not reveal her face. A moment later Cliff, with one hand, slammed the jail door, and still covering her with the Spencer, twisted halfway around to turn the big brass key in the lock. The door, she knew, was almost impregnable. It would have been broken down and this was something that would require time; and she was at the point of a gun and could be killed before rescuers got in to save her.

She was gradually recovering her composure when she heard horses pound to a stop in front of the bank across the street. Voices, indistinct and querulous, reached her and she knew the bandits were taking up strategic positions in front of the small brick building. She had never been so helpless in her life and it grated on her names as a swift anger took hold of her. Cliff then took another step and pushing the Spencer's muzzle against her left breast, removed the heavy Colt from her holster.

"It's just you and me, kitten," he rasped. "Better take it easy. I won't hurt you if you don't make me trouble. We're going to take some of Moffet's stolen money. You hadn't ought to kick on that. Sit down and rest yourself and don't be so jittery. Actually you're pale as a sheet—"

His shifty eyes were roaming around the room. His gaze finally stopped on the jail keys over the desk. She saw a formidable fight sharpen his glance when he again placed those savage eyes on her face. "How many prisoners you got in this lockup, Miss? Is that there the way to the cells?"

Her blood froze and she could have screamed aloud, when the bandit reached across suddenly and jerked the keys down from the wall. "You'd better talk, kitten, better do what I tell you. I'm not the kind to fool around when there's work to be done. If you lie to me I don't know what I might do to you. I figger we're alone in here and since this calaboose was built to hold off lynchers, it ain't likely nobody can get in."

He jingled the keys in his left hairy fist, stooped and placed the Spencer across a chair and kept her own .45 levelled at her red shirt, the ominous glitter of the weapon striking a deeper fear through her heart. She stalled, making up her mind she'd cause him all the trouble she could. She knew if he released the prisoners her life wouldn't be worth anything; Mattie Collins would see to it that she was put out of the way. Fred Sanders and the imported gunhawk who'd been captured with Mattie, would be able to put forward a steep resistance in case Jannings and Bob DeSpain made an attempt to rescue her. Besides, there was one man she'd overlooked—the worst killer of the lot—Sandy Hart!

"Where's Matt Timberlake?" Cliff demanded. "Have you got him in here?"

"Matt Timberlake—?" She gasped and felt her cheeks grow ashen. She knew the owlhoot with the gun covering her could see the great fear he was beginning to drive through her. "I don't know Matt Timberlake—"

"Don't lie," he growled. "You know he's been in town. Somebody tipped you long before this. He's an old friend of my leader's and I want to get him out of here if you've got him in a cell. I'll bet, though, if he was taken by anyone in this town, he wasn't captured before he left a few lawdawgs bleedin' to death in th' dust. Ain't no man alive could take him and not come out marked up."

"What makes you think he's been in Hayes?" she asked casually, making her voice as steady as possible and not quite succeeding. "Don't let those reward posters fool you. They were nailed up around town by the U.S. Marshal of this district. Bob DeSpain's big enough to take Matt Timberlake, and don't be fooled about that either. If Timberlake was here, Bob would have known it and he would have dragged him in—probably dead."

CLIFF WAS peering into the yellow gloom of the corridor to the cells, but he kept one eye on her all the time. "Mebbe, I'm not so sure. I've heard about this DeSpain fellow. Good with them guns he carries that have got the lucky sevens on th' handles. Sure. But Matt could tie him if if come to a fight between them. I think you're stallin' me. I heard my boss say he was in Hayes and there wouldn't be no occasion for her to say it if he wasn't. She knows."

"You mean Kate Starr?" Her voice throbbed with the excitement of the situation. "Of course it's Kate Starr—!"

Cliff nodded heavily. "She's Matt's girl. They've been together. Had a little split up, but they met this morn-

ing and patched up their differences. They usually hang around close to each other and if Matt's not in jail, he'll be on hand to help us when we need him. But—I'll bet you know all about where he's at, and you'd better come across. Mebbe by some freak of luck you nailed him. He's kind of polite where women are concerned, 'specially them that's as pretty as you are."

She blushed and saw how intensely bitter were his eyes. Something was hammering at her brain but she didn't know what it was. If Matt Timberlake, the king of the outlaws, had been in Hayes, he'd escaped without attracting any attention. No doubt the murder had made it easier for him to enter Hayes and leave without trouble. What had become of Bob DeSpain? She hadn't thought of his absence as having any significance until now. Strange how he'd disappeared, the same as her father, without leaving any trace of his whereabouts. A great uneasiness concerning her father had begun to assert itself.

"Well, we'll go back and take a look at your prisoners." Cliff whipped the pistol up and down and indicated the corridor. "Let's go, little one. Just in case you've got Timberlake in a cell—"

"Oh, but I haven't—we haven't seen Matt Timberlake. He's not here. He has never been here so far as I know. Please don't disturb our prisoners. If you let them be you'll get along better. One of them is a Federal prisoner. No—they're all prisoners of the government of the United States. Do want to have the Federal officers chasing you when you leave Hayes with Moffet's money?"

"We'll take a chance on that," Cliff's voice was mean and threatening. She knew she'd have to obey him; if not he'd kill her. She nodded and slowly walked around him and he followed her down along the low hallway toward the cells. Suddenly she stopped and he prodded her with the gun. "What does Timberlake look like? Is he shorter than you are, with a scar like a white thread sewn in the left cheek? Does he have a flat small nose and does he have gray eyes—?"

The owlhoot's face lit up like she'd lit a match behind a thin mask. "You know him, then, don't you? You've seen him here in town and you've either had him ambushed and killed or you got him locked up back there. So you were stallin' with me, like I figgired. Ain't nobody would know what he's like in appearance if they hadn't seen him and found out who he was. Sure, you've just described Matt Timberlake, lady and by doin' so, you've marked yourself for a bullet."

14

WHEN Matt Timberlake left the jail the fear that he would be unable to head Kate off before she attempted the bank robbery quickened the flow of his blood. He was unusually alert. He crossed the street toward the livery stable and angled off to the right. He saw the door of the barn standing open and the jonquil glow of the lantern hanging on a wall-peg where the runway to the stalls began. He went in and looked around him, but there was no sign of the oldster in charge.

Matt stood undecided a minute, then decided to take his horse out anyhow. He moved soft-footed toward the runway, reached this and was stopped dead in his tracks by the brusque sound of voices. He recognized one as the hostler's, but the other, although it was familiar, he failed to place immediately. It came to him all at once. Bob DeSpain, the United States marshal was back there behind the partition with the attendant.

The sharp stench of horses and wet straw assailed him. The rankness of the odor almost made him sneeze. However, he covered his nose with his left hand and his right dropped to the butt of his Colt. He patted the other gun to see it was ready, and crept around the post that held a waist high board fence with a gate in it. He

stepped inside the runway, paused again, trying to hear what was being said. DeSpain spoke in a sedate voice, but underlying it was a tense worry which he could not conceal.

"You go on over to the burial parlor and tell the undertaker about Tom Ware's body. The old man died before I could get him here, and we can't let the corpse stay in the barn."

The hostler's trembling tones were now distinct to Matt Timberlake. The latter had been shocked and stood unable to move out of his tracks. He heaved his shoulders away from the fence. Tom Ware was dead! Anger touched him, stayed and began to burn his veins. He listened, wondering how the sheriff had met his death.

"You say get Baker, the undertaker? I'll shore pack him back here in a jiffy. He'd better fetch something to carry Tom over there. It's a doggone shame. Tom's been one of the best men this town ever had in th' sheriff's office. Reckon this is goin' to hurt Zelda real bad. She's such a fine youngster, too. Poor child—"

"Kate Starr shot him after her men had given him a severe beating." Bob DeSpain had a softness of speech that showed the sorrow he felt for Tom Ware and he spaced his words, as though dwelling on them awhile to make sure they were what he wanted to say. "She's heading this way, is already in Hayes, if I'm not mistaken. I didn't want to take Ware to the burial parlor because I didn't want the owlhoots to see me. I'm going to be ready when they hit the bank, if they go on through with her plans. Hurry now—"

Timberlake changed his mind about waiting to get his horse. He stole furtively from the barn and edged off along the edge of the walk in the ankle-deep dust, making no sound. As yet the bank's front was barren of anyone in the brightness of the row of lights strung along the top of the facade. Moffet had taken no chances. He'd made everything secure against robbery.

Somewhat relieved, Matt put his shoulders against the low porch of the courthouse and watched the street. People were moving around up in the next block but there was no activity around him. He peered across the street at the jail. The door was closed now and there was only a faint stream of light falling through the small window in the wall to the right of the door. He watched this but there was no movement inside. He suddenly thought he'd better see how Zelda was coming along. Thought that Kate Starr had murdered Tom Ware nauseated him. He knew she was capable of cold cruelty. One of the reward placards for his capture dead or alive flapped against the porch balustrade. In a swift flash of anger he yanked it down.

But for his past he would be free to stay in Hayes and protect Zelda as long as life lasted. The past though rattled its chains and sneered at him. There was no way out of the situation enveloping him. He was lost. He gazed up from the blackness of the pit and shrugged at what he saw. He had lived by the gun and he would die by the gun. It was the way such lawless careers ended.

He was not capable of self pity. He saw only the trap fate had sprung on him. It surprised him that he did not care to break out of the trap. He was leaving everything now to the gods of fortune. He'd been lucky. He wondered vaguely if luck had deserted him.

BUT WHAT did Matt owe Kate Starr? There was no hope for them, even though she lived. She would have to pay with her life eventually, so why not now? If she should escape the old man's rifle in the hotel window she would go on to further her own unscrupulous ends. It was better she died suddenly and without knowledge of the hidden executioner than to be aware of death reaching out to break her in a merciless embrace. Had, he been tendered his choice, he knew he would have preferred it that way.

She was deserving of punishment and Timberlake did not doubt she would receive it if she continued on the crimson-stained owlhoot. He had full confidence in the old man's

marksmanship. When the rifle spurted flame from the window of the hotel the bullet would go true to the target...Timberlake remembered him as a professional killer he'd met in a Dodge City saloon—a sheriff's hired executioner.

And maybe—he didn't know—but maybe his own executioner was back there in the livery stable with Tom Ware's corpse. For all he knew, Fate had prepared his own demise, the same as it seemed Kate Starr's had been prepared.

Horses moving lightly through the dust attracted his attention. He spun on his heels and saw the dim outline of four riders drawing closer to the bank. Fortune seemed to favor them. The bank's block was deserted. Or was fate setting a trap, a coy arrangement all her own, to coax the bandits along. Matt Timberlake made out the tall, straight shape of Kate Starr. She was riding ten feet ahead of the others. All were heavily armed. The clatter of their firearms reached the man stalling in the shadows.

The toughness went out of Matt Timberlake. He hesitated. His impulse was to call out a warning. He didn't have it in him to stand there and let Kate ride to her death. He knew if she entered the bank she would never come out alive. The uncanny vigilance of the old man in the hotel window would spot her for what she was in a minute. In the glare of light at the top of the brick building she would be exposed to his waiting rifle. The oldster was the grim, inexorable executioner, and suddenly Timberlake wished he could step out there and draw that quick bullet.

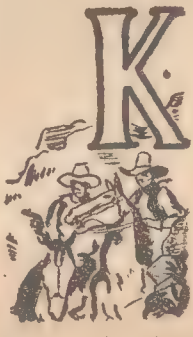
He bit his lips until blood ran down the corners of them across his obstinate chin. He dug into the palms with his fingernails. His whole body shook; the struggle he was having with himself was so exacting, he paid a harsh toll for victory. He remained where he was, in a cold sweat, with water soaking through his shirt. He counted the minutes it took the small band of riders to reach the bank's front and tie their horses. He saw them scooting about in all directions, saw Topez take up his position near the steps.

Kate was the last to dismount and swung gracefully from her saddle. In her close fitting dark clothes she resembled a medium sized, slender made young man. The hat she wore was pulled well down over her eyes. Revolvers were stuck in the waistband of her trousers. There was a cartridge belt around her waist and two holsters, one on either hip, strapped down to her thighs. Kate had always carried her Colts in the place she was lugging them now and the holsters were empty.

She hit the dust noiselessly, gave a few whispered orders to her followers, walking around to each one and spending a moment with him, her voice barely a whisper. What she said Timberlake failed to hear, but he knew she was giving them final instructions before she entered the bank alone. She would walk up that short flight of stone steps, but she would never come down them, at least not all the way, with breath left in her body. Timberlake felt the icy sweat dripping from his face and gathering in beads on his neck. An urge as desperate as any he'd ever experienced tried to pull him away from his negligent position with his shoulders against the courthouse porch. But—he was still there when Kate started slowly up the stairs. Time lurched out of its natural gait and began to crawl!

"God have mercy on your soul. Kate—", the prayer fell softly from his lips.

15



KATE STARR encountered no opposition. She walked on around the deserted wire cage toward Ben Moffet's office. Everything was coming her way. Moffet had his back to her and was bent over the big table in the middle of the room. The lamps bracketed to the wall were low and covered the room with a soft jonquil radiance. He did

not hear her when she slithered across the threshold. But when he heard her cough, he wheeled, diving his hand toward the inside pocket of his Prince Albert.

"Just stand hitched, Ben," Kate's dramatic voice said. "Or should I say Rodney? It has been a long time and a lot of water has rolled under the bridge since we met. Suppose you raise your hands and try to put your flattened palms against the ceiling. It won't take long. I'll shove off and your skin will be as unperforated as it is at this moment. If you try to resist it'll be perforated, something like a hunk of Swiss cheese. Better hurry, my boy."

He stared at her, incomprehending. His face was mottled where the pallor did not touch, but soon every inch caught the lamplight and cast it away with dazzling brightness.

"You can't get away with this, Kate," he mumbled. Fear made his words run together. You know I'm too smart to be robbed by a crude owl-hoot woman. Why did you ever come to Hayes? It's the devil's diving board for such as you."

"Rodney, you'd better not waste words trying to scare me." She lifted the gun in her left hand an inch or so and it didn't waver. "I'd think since you're such a smart man you'd realize this gun I'm holding can kill."

"You stop using that name around here." He moved a step toward her. And now behind him on a chair she saw a black satchel—a money satchel. The maw was open and gaped at her. She peered down, but jerked her alert eyes quickly away, in time to see his hand start back toward the small pistol she knew he had hidden in his long black coat.

"Don't destroy my patience," she snapped. "I'll kill you, Moffet. You've been lucky to have lived as long as this and made as much money as you've got in that satchel. Where were you going, Ben? Taking a little trip because Bob DeSpain's been getting too close to your past? Sure, that young man is a shrewd customer and he's found out you're Rodney Stone and he's after you. So you figgered it smart to leave Hayes, mebbe like you found it, more peaceful than it's been since you came. How much money have you got in that satchel, Rodney?"

"Seventy five thousand dollars and some securities," he said, his voice still unsteady. "You can have the whole damned thing. I'll even haul out a few diamonds for you I've got put away in my pocket. Make it a hundred thousand, Kate. Not hay, is it? And it belongs to you if you'll take it and beat it away from here before we're discovered. I'm not afraid of the United States Marshal; he's got nothing on me. Just take all this money and walk out of this room and down those steps a free and unhampered young woman with enough money to keep you the rest of your days. Here—take a look at these." He tossed a packet on the table and bent to break the string around it.

A dozen large sized diamonds rolled out on the table top and he pushed them around with the tip of his finger. "They're safe. It has been all of twenty five years and they've forgotten about them. I took them away from a Russian countess who was riding the California stage just out of 'Frisco. They're worth mebbe fifty or sixty thousand."

SHE REACHED out with her free hand and scooped them up. Her eyes glimmered when she turned them upon the stacks of greenbacks and gold coins in the black satchel. "You won't try no double-dealing if I walk out of here with this stuff?" She studied his hard face in the lamps and saw he meant what he said. That is she was sure she was reading truth and worry of being apprehended as Rodney Stone in his face.

"All right," she decided, "I'll take you at your word. Suppose you carry the satchel to the door and toss it out upon the sidewalk? If you move with some of your old speed in getting around, I'll be gone away from here in less than five minutes. If you sound an alarm, though, I'll come back and kill you, Rodney."

"I shall never betray you. Just take your time going down those steps. If it comes to a showdown and you're discovered, I'll cover up for you. I figgered when I saw you standing

there with the gun on me, held in your left hand, you meant to drive a slug through my heart. You've kind of stepped out of character. To live is the greatest desire I have on earth. You let me live and all this will pay you for your sacrifice, if you can call it that—sparing a human life."

She frowned and bit her full lower lip. "You know I never kill until I've done everything else to keep from it. You seem to be taunting me for some reason, Rodney. You're not in line with your true character either; you don't usually give up so easy. You love money and you've got a small fortune in that satchel, yet you're surrendering it meek as a lamb. What am I to think?"

He wiped sweat, but he didn't make a single move toward the pistol in his Prince Albert. "Precisely this, Kate," he said, his voice more sedate than since she'd surprised him. "Bob DeSpain is the greatest manhunter in this country and the greatest gunfighter along with it. He's here in town—the town I've built from a small pup, and he's going to get me if I don't take out. There isn't a man big enough to stand up before him in all of Hayes. So I've lost and I'm taking leave of this place I love with all my heart. If I could hire somebody to kill him—"

"What about Matt Timberlake," she said with cold indifference, with not much interest in the confab. "Matt's here in town, too."

He looked at her with stunned features standing still in his pale face. For a minute he did not say anything. He wiped more moisture from his upper lip and forehead. His eyes narrowed now until they were black crescents. "You're joking," he said; "Timberlake wouldn't dare come to Hayes."

She impatiently reached for the satchel. "Well, why not try looking him up. He's been here several hours and there's nothing he'd like better than a showdown with DeSpain. He wants to settle the question as to who's the best with a six gun. I'll put my money on Matt Timberlake."

He shook his head heavily and let her take the money. "Not me," he muttered thickly. "Even though I hate him I'd have to swing along with DeSpain; those guns with the lucky seven dice on the handles are too fast for Timberlake."

She stepped gingerly toward the door to the outer room. The money satchel was under her right arm, the Colt in her left hand and her senses were attuned to danger and steeled her against anything in the way of a surprise attack that might lash out at her. Kate Starr had been in more than a dozen precarious spots similar to this one, but she'd never felt so taut with apprehension as now.

As if he understood what she wanted him to do, the banker stepped catlike toward the front door. He opened it for her. The wind had sucked it shut. They stood in the light from the top of the building's facade illumined like a picture drawn in phosphorescence. Lamps played on the silver gun she held.

"If I see Matt," she pronounced calmly, "I'll send him around. He might be the very man you want, Moffet." There was laughter on her lips and mockery in her eyes. "If he can be talked into helping you, he'll kill Bob DeSpain when and if they should come together, and if the price was great enough he'd see the meeting took place. So long, pal. Thanks for the rocks. I'll dress up when I reach old Mexico."

THERE WAS a funny expression on his face when she went down the steps. His eyes were malacious, cold, and a covert something or other fell away, to leave him stamped plainly as one who had quickly recovered from a lethargy that had chained him unwillingly to a wall. He now was brusque, quick and unhampered and he thrust himself halfway out the door and dropped a white handkerchief which fluttered from his hand in the glare of white brilliance overhead.

Chain-lightning jumped through one of the peepholes in the hotel's window above the wooden awning. The sharp crack of the watchman's Spencer was immediately followed by a second explosion and a second flash of cerise flame. Kate Starr was halfway down the steps. Her companions

had emerged from the shadows where she'd posted them and their firearms caught the gleams of light and reflected arrows of diamond-fire. Kate paused, stood erect and lifted one hand, to clasp it to her stomach. She seemed to be leaning forward slowly, and then she bent in the middle. At the same time her knees buckled and, with her equilibrium smashed to bits, she lunged on down the steps. She threw the money satchel away from her. The gun in her left hand dropped from her unclasping fingers. Both bullets had reached her like long hot probing rods of iron. Blood speared out through the holes in her dark shirt. The satchel hit the wooden walk, bounced and rolled off the edge into the dust. Kate Starr became a motionless blot crumpled at the foot of the bank's stairs, one leg bent up, the other straight out across the planks, and her head rested on the last stone block of the stairway.

Everything had happened in a span of twenty seconds, each one a broken second. Confusion made the bedlam that ensued and the scurrying shapes of the bandits were like pirouetting silhouettes on a white screen. They raced toward their horses, yelling at each other. They unhitched their mounts and threw themselves wildly into their saddles. Their strained white faces and their bulging eyes turned and they hurled their arms up across their bodies, crouched low, obviously expecting to be knocked down by the invisible marksmen.

Darting tongues of red death licked at them from that window less than one hundred yards away. Topez, who had been the last to desert the dead woman was climbing awkwardly into his saddle, when a slug hit him in the head. He pitched sideways, and the thump of his body on the edge of the walk frightened his horse. The animal skittered away. The others, urged into a fiendish desparation lashed their steeds with quirts and were blocked by the whirling horse that fought against the brutal pull at the bits as the man known as Cliff stuck the rowels in his flanks. The buckskin was rearing now and dust rose in dense, big corkscrews.

Cliff shouted at the crawling Topez who was attempting to get up out of the acrid dirt, "Grab that satchel there by your hand. We'll—"

The sullen impact of the slug smashing into his chest left the words tangled up in Cliff's throat. The merciless marskman at the window had not hesitated, and he poured a steady stream of fire into the renegades trying to escape. The whole town seemed to have come to life after a period of constrained inactivity. Men ran in all directions, weapons clattering as they weaved in and out of the spooky shadows. Shouts rent the air, and boots drummed a steady clumpish tattoo on the walks. Doors banged shut, windows fell and glass rattled in their frames. From the hotel poured a dozen men and women, pushing and shoving at one another and all trying to obtain the best vantage points. No more firing came from the window overhead. The shade stayed where it was. The Spencer's slim barrel was no longer in sight.

The buckskin was down, rolling over and over and the rider was a blood-wet object that struggled to retain the breath of life and had to give up because breath had sawed the last time from his throat. Not one of the owlhoots was alive to tell what had befallen them that history-making night of August 13, 1872. Blood curled lazily into the dust. The massacre was complete. The bodies of the renegades and their horses were strewn about like dead soldiers and their mounts on a battlefield.

Still came that interminable drumming of boots and those sharp cries of alarm so violently wrenched from the running townsmen. Ben Moffet was seen descending those same steps upon which Kate Starr, notorious woman bandit, had died like a condemned prisoner, helpless in the ambushing rain of lead. Moffet walked across the boards and stepped off the end into the stifling dust. He was picking up the satchel when he heard a cold voice say, "Better leave it alone, Moffet! That money will get you killed!"

Without straightening himself, with his fingers clasped to the leather handle, the banker turned his head around. His while evil face was a

mask of steel which remained undaunted save for the slitted eyes. These swiveled in their glittering hate and fright and probed the darkness for the speaker. A man stepped slowly toward him and as he came along the edge of the walk, he spoke again, his voice low but distinct above the confusion around them.

"Just leave it alone and put your hands up so I can see them. You're under arrest, Mister!"

16

WALKING slowly toward Ben Moffet, eyes bright and narrow, came Bob DeSpain. There was no gun in his hand. In the light the butts showed above the holsters, with the red dice on the white bone background. The banker recoiled, looked up, dropped his head, peered at the money satchel. The steel fled from his face, left it pale, quivering and soft. He was obviously undecided.

For a moment nobody in the crowd moved, saved the U. S. Marshal. DeSpain's handsome face was set in concrete lines. His jaw was thrust foward in resolution of the grim kind. His hat was on the back of his head. He kept right on marching, aware of Moffet's right hand sliding inside his Prince Albert.

DeSpain's long hands swung near those sinister Colts. Fear ran through the crowd but nobody said anything. Moffet did not rise out of the dust. A stream of light poured from the open jail door across the street. A man had slithered forward until he was on the fringe of the crowd, and when this opened to permit him to approach the horses tethered to the rack pole, he moved slightly in the rear of Bob DeSpain.

Moffet's hand stayed inside his coat, but the other hand was on the handle of the satchel. The radiant lamps along the cornice of the facade shone full on Kate Starr's dead face. It was sickly looking. There was the dimmest of smiles on her shapely mouth—a mouth that was turning blue. The eye lids were parted and a gleam came through the glassy depths.

"No man touches me in this town!" Moffet, though motionless, was alert and a threat came into his big-boned face. "I made this town. It belongs to me. The United States has nothing to do with my interests. Don't step toward me, Marshal. All these people around here know I made Hayes the best town in the community. We've got the railroad. We've got everything I ever went out after, except the postoffice. I didn't want that. The money in this satchel is mine. The woman owlhoot stole it at the point of a gun. On her person you'll find diamonds she wrested away from me, diamonds I hope to keep. Just don't make me any trouble."

"Get up, Rodney!" DeSpain's voice was low but sinister. "I have no time to waste on you. There's a price on your head—"

Moffet's frame, hunched over the money, suddenly came erect. A pistol leaped into his hand as he drew it swiftly from his coat. The weapon was whipped upward and the muzzle was levelling with the target above him, eight feet away. DeSpain's movement was quicker than the banker's hand, however, and fire jumped from his right side gun.

Moffet reared up, hurled the pistol away from him. He pulled himself awkwardly to his feet, stood weaving there, clasping his left hand to his shirt. Blood ran through the front of it and stained his fingers like cherry juice. When he pulled his hand away the fingers were red.

The sharp report of DeSpain's Colt reverberated through the street.

MATT TIMBERLAKE saw the man edging toward the U. S. Marshal. Catlike, Timberlake reached the latter's back, with a Colt which he shoved forward with cruel force. Cliff had pulled on DeSpain, but he lifted his hands when he felt the probing gun barrel. DeSpain whipped

round. He took in the situation at a glance, smiled lazily and muttered one word to Timberlake, "Thanks." He then bent over Moffet's shuddering form.

"Start marching toward that jail door," Timberlake ordered brusquely. "You make a break for it if you want to. The choice is in your hands."

For a moment Cliff seemed about to try to dash for freedom, but when he got a good view of Timberlake's face, he shrugged and went shoving through the crowd toward the jail.

Timberlake had snared the only survivor of Kate Starr's gang, but he had made up his mind not to kill the renegade unless he had to, and walked placidly behind him until the latter stepped into the office of the calabose, still with his hands raised, and still with the useless Colt gripped in his fist.

Timberlake strode up to the desk. He reached for the keys, his gun remaining on the owlhoot. He took the key off the peg, motioned with his revolver toward the corridor and said, "March!" Cliff obeyed him, his stride long but jerky.

When they achieved the door of the cell holding Sandy Hart, Timberlake unlocked it. "Get in there, pardner. But first surrender your gun. It wouldn't do to let you keep that in there with Sandy Hart. I hope you boys become friends."

He took Cliff's weapon, gave the owlhoot a shove and slammed the door shut. When he walked back out into the office he heard the profane words Mattie Collins and her gunhawk henchman were aiming at him. He paid them no attention. Upon reentering the office, he found Zelda waiting, her face white as death, her eyes round-sprung.

"They would've killed me," she said. "Only the sounds of the shooting out there saved my life, Dave. That man you've just locked up was going to release the prisoners. Then he would've shot me or caved my skull in with his gun. I don't reckon he'll trouble me again, though, since you've put him where he belongs."

"Where he belongs," Timberlake said placidly, removing his badge and handing it to her, "is six feet under in Boothill. I've made my last arrest. I'm afraid you'll have a peaceful town from now on. You don't need me. I can't live on the pay, and besides my paymaster's dead; Bob DeSpain killed him. He'll be over here presently, as soon as he gets the mess cleaned up, and I don't want to be here. I'll just be saying Goodbye and God Bless you, Zelda."

It had always been like that. It had always been Goodbye when he'd wanted to stay put, and he'd made friends and left them and had never seen them again.

He saw her strong pride giving way in the way she let her shoulders slump. Her lips opened to speak, closed again and her eyes filled with tears. She was a strong girl but all this had been too much for her. She was peering at Matt Timberlake with a wistful wisdom shining forth from those eyes he would've loved to look at until his death. It was as though she completely understood his feelings. There was a little band of steel between them, but it wasn't big enough to bring them together. He saw her with such vividness and with an increasing apprehension that he was loath to walk away at the moment. He knew he would never see her again. She was so vivid to him now he would never forget her.

She was showing him an expression of sorrow which made the tears gleam brighter as they rolled down her cheeks. Her eyes went dark; there was a wee tremor at her mouth, and the womanly lines of her were revealed to a better advantage because her clothes were moist with sweat. She had grace and vigor but she was without both now when she needed them badly.

HE WALKED heavily to the door, then turned and looked back at her thoughtfully. She made no movement toward him and he was glad. They did not have any business being together. One second's weakness on the part of either would deepen the sadness of the tragedy of parting. He had known her only a few hours but to him he'd known her

many years. She might have been the little girl who played next door to him and brought her dolls down to the fence so he could see them. He had the same feeling now he'd had then; a purity of mind, an honor in his heart.

It could've been vastly different. Had he atoned in some small degree for his unsavory way of living in the past? He hoped he had. He felt cleaner. The inside of him had been renovated so completely he abhorred any thought of stealing back to the lonely owlhoot.

Matty Timberlake drew his eyelids nearer together. His broad chest lifted and fell and his disturbed breathing made itself heard because it filled the room. His head turned again, but he did not see the lights in the street. All he could see was her face, the hunger there, the disappointment, the something or other that might have been adoration.

He lifted his hand even with his shoulder and went out, stepping through the shadows toward the dust and wading this he headed down the street, skirting the crowd. He didn't look back. He didn't care to punish himself any more than he had to.

Zelda Ware saw him crossing the thoroughfare through the yellow lamplight. She observed how he avoided the crowd, how he walked as if on springs and how his hands swung near his guns. He was not a big man; he was not tall. But to her he was about the biggest man in the world. This was a serious moment and not one to waste in girlish dreams. She had always wanted a tall man, handsome, blond, maybe blue-eyed. But there was something about this man she would've accepted completely and for time everlasting.

Matt Timberlake went directly to the livery stable, got his horse, saddled and bridled the pinto and tied his warbag to the saddle horn. The saddle carbine was safe. The old man had taken care of it for him. He mounted and looked down at the old man, knowing he had made another friend.

"Sorry you can't stay longer," the hostler said. "We need men like you. Funny th' best men always leave Hayes soon's they see th' place in broad daylight."

Timberlake touched the brim of his hat. He rode out, adjusting the black chin strap. He headed the pinto down the street toward the trail upon which he'd met Zelda Ware a few short hours ago. This time he would not meet her. He would ride past the place with deep regret and lonesomeness in his heart. He would see everything taking place the same as it had before; only this time it would be made of gossamer. Even though it was night, the darkness wouldn't hide his resplendent dreams.

He rode directly to the deserted cabin where Kate Starr had made her headquarters. He passed the creek's line of willows and felt the cooling dankness on his face. He caught the smell of water and heard a giant bullfrog trumpeting because he'd been disturbed. From time to time he had stopped to see if he was being followed. After putting his horse in the leanto and feeding him, he sat waiting in the darkness for a considerable time and occasionally took a turn about the room. When he finally lit the lamps he found the stove retained a few hot ashes and he piled cook wood on the low fire. Fanning this with his hat he soon had the wood blazing. He had once stayed here all night days ago.

Although it was still in and outside the hut, the silence was intolerably loud. A pot of hot coffee revived him and he rolled a cigarette, the first he'd smoked since leaving Hayes. He inhaled the smoke deep into his lungs and exhaled with pleasure and some of the gloom dropped out of his mind. He turned the lamps down and sat in a cane chair in the open door. He heard the crickets and the birds and the cracking of a bough by a furtive tree owl. The moon was small, yellow and lay upon its back. The stars were a million sentinels with dazzling silver shields. He wondered if he'd get away from here without all hell falling in on top of him?

17

SHE HAD recovered somewhat from the shock of learning of her father's death; comfort came from the fact that his cruel death had been avenged. Again, in this direction, the marshal — Jannings —had rendered Zelda a sterling service. She would never forget the man who had suddenly stepped into her life and just as suddenly taken his departure from it. Dave Jannings had done more toward cleaning up Hayes than any peace officer who'd ever paid the rough town a visit.

It was hard for her to realize he was gone and never would come back. In her mind was a doubt and a growing uneasiness. The nearness of Bob DeSpain had kept her comforted. When he came in off the street this morning he wore a frown that alarmed her. He was moody and silent and cheerless.

He walked over to the desk and clasped the edge of it in his long hand, removing his hat. The hair was wet with sweat and his eyes showed a narrowed hawklike vigilance, a strange kind of alertness which made him seem formidable. There was no laughter, no trace of good humor in his face. He stood a moment staring at her.

"I've just found out for sure Matt Timberlake has been in Hayes." His voice held a note of threat. "He is the man you've had working as marshal. You didn't know—"

She gasped and whirled to meet his eyes. They inspected each other closely and she turned a beet red. She was embarrassed and a little hurt and above all else shocked to voiceless stupefaction.

"I'm not blaming you," he said quickly. "He pulled the wool over your eyes. I can't speak too harshly of the man, Zelda; he saved my life. You can't feel mean toward someone you know has prevented your death by risking his own life. I can't; I've tried to. I don't know—don't understand what came over him. Look—he's filled this jail with prisoners. Every last one of those occupying cells back there with the exception of Sandy Hart, was jailed by Matt Timberlake.

"Matt Timberlake," she murmured. "Dave Jannings is Matt Timberlake. He told me out on the road when he took Sandy Hart for me he was Matt Timberlake, and I thought he was joking. I—I don't see—"

"We're both puzzled," Bob admitted. "I've got a deep regard for him, too. I hope you know what I mean. Not that I'm going to let him get away. No. It's my duty to see he's caught and I'm going to give it my fullest attention. I'm leaving town soon, and I'll not come back until I've tracked him down. But—he was a pretty good scout after all. I got a tip from a dancehall girl and there's no mistake, Zelda."

"You mean you'll fight him?" Her voice quivered, broke and her words all ran together. "If you meet again one of you will have to die, Bob. Dave—I mean Matt—he'll never surrender. He's fast with his guns. I know. You're fast with yours and it's going to be close, but when it's over one of you will be lying dead and there won't be any feeling of victory for the winner. Please, Bob—please let him go."

She knew he wouldn't agree to this. It was too fantastic. He was an officer of the law first and a man afterward. He was a cruel, inexorable machine and nothing would daunt him or swerve him from the path he considered it his duty to follow to a finish. She had simply wasted her effort. She'd better not mention it again, and yet—

"Well, I'll see you when I come back to Hayes." DeSpain lifted his hat again and put it back on his blond head. His eyes still held the iron and steel of his determination. He gently touched her on the arm and led her to the door. The sun was bright, the heat was intense. A wind

as hot as fire burned the dust which lay in thick carpets up and down the thoroughfare. It bore the scent of hay blistering in the fields and hurt her eyes when Zelda peered out the door. She saw DeSpain's horse at the rack, and she turned in the opening, pressing close against him and her hands clasped his tie. She held to this a little while, her face so close to his their lips were less than an inch apart. Suddenly she let go of the tie and, placing her arms around his neck, met his mouth with her own warm, moist lips, holding his head pressed downward.

She had read what all women read in the eyes of the men who adore them. There had been no need for words. Zelda Ware wore a black dress that deepened the pallor of her skin and made more pronounced the unusual sheen of her eyes. She released herself and stood idly against the doorsill, a tall girl, straight formed and beautiful in her gravity.

Bob DeSpain observed the turn of her lips. He saw the pride in the way she held her head. He knew she had a stupendous capacity for emotion. The color of her face brightened as he pulled her closer to him.

SHE SAID, and her voice was silver-toned, "I don't need ask you what you're going to do. I can read it in your eyes. I shall pray for both of you, Bob. I don't want to lose you; I don't want him to suffer. I know you take your work seriously and I am glad you're not soft. But if there was a touch more of sentiment in you, I am sure you wouldn't be wrong."

They saw horses and wagons and buggies and pedestrians moving around in the sunlight and the peace of a new day. The dust was curling up from the ground in floating balloons and it had a sharp scent, was dry and irritating to the skin and eyes. You could not tell by looking up and down the wide street that last night justice had taken a crimson toll to the extent of five lives—four men and a woman.

Bob DeSpain clasped her hands and held them; he then released her and she reclined against the door-sill. The marshal did not answer her. There was small occasion for an answer. She had spoken as she felt and had resigned herself to the inevitable. A man must have strength if a woman is to respect him.

He clapped his hat on his head and went to the Morgan gelding, climbing up. He had his last look at her, at the sorrow in her face, at her straight womanly figure and at the soft beauty of her hair. She was staring at him, but obviously there was no curiosity in her mind regarding what he thought. They had come to an understanding in the doorway and in the red sun, and born in them now was the right to possession, and it all was so vastly different from a few minutes ago when they had not been sure of each other. He lifted his hat to her, and a sudden smile broke through the gloom, although it was a smile as ironic as fate.

"If you don't hear from me by nightfall," he said, the hot wind moving the tie on his white shirt, "you'll know I had to go farther than I figger now. If you don't hear from me by tomorrow this time, then you'll know I have encountered difficulty. Don't come after me, but send someone and instruct them to look in the old cabin by the creek across the second bridge. Be a good girl until I see you again."

He touched the brim of his hat with two fingers of his right hand, caught up the reins and patted the horse on the shoulder. The Morgan turned slowly, kicked up more dust and loped away. She called gently after DeSpain, "Good-bye." He lifted his left arm, but he did not twist himself around in the saddle to look back at her. She was glad because he might have seen the tears in her eyes.

DeSpain put his horse to a brisker trot and presently hit the old trail he'd followed into town the day before. Sunlight still held the sky and it blazed down on the prairie, and the lash of the heat was like being

too close to a red hot stove. At the next bend the road straightened out and lay like unspooled satin as far as he could see.

18

MATT Timberlake had been down to the spring in the rear of the house. He carried a bucket of water. He set it down on a bench near the front door. He took the gourd dipper and scooped a drink from the wooden pail.

It was then, precisely then, with the cold water trickling down his throat and his head tipped back, that certain senses were awakened with a stupendous jolt? The scent of cigarette smoke drifted leisurely to him, coming from behind the curtain across the corner where a little while ago he'd stood thinking of Kate Starr and how he'd lost her forever.

There had been so many things in his mind. He'd skipped over the detail of Ben Moffet's past. How the man had managed to keep his cattle rustlers busy without being detected was beyond his understanding. And he'd even learned from Sanders how the latter had sold Moffet out by going over to Mattie Cole's side. Charley Hoyt, the man Timberlake had killed in the attack the first morning of his job as town marshal, had consented to kill Timberlake to get him out of the way as a threat so Mattie could go on with her plan to murder John Cole.

Rats in the same bin, each striving for the life's blood of the other, and Honest John Cole remaining staunch and steady in the face of disaster.

Then he'd heard from Sanders how Mattie Collins had set her cap for Bob DeSpain and hoped to fool him, too, to make a sucker out of him as she had everyone else who'd come along to feel her charms. He'd thought of his close call to death in the saloon. He'd never seen a woman as vicious as Mattie Collins; not even Kate Starr had matched her machinations.

Matt Timberlake summed it all up as he stood there, listening and knowing he was being watched, probably stalked. The smoke was as strong as ever. The hot wind and the red sun combined to make the day miserable, and sweat ran off Timberlake's face like the water sprinkled from the dipper into the water pail. He counted the seconds, one, two, three, four, five, six—he didn't give in to the fear he'd first felt seize him when he'd made the discovery that there was a second presence in the cabin.

Yes, there was someone behind the Indian blanket. Although he could not see the hidden enemy, he was sure his foe did not intend to let him escape alive. He stood motionless, staring at the curtain and thinking back, trying to decipher the meaning of the other man's silence. That corner of the room held death for him, it was back there where a while ago he had found a woman's cast off clothing. Kate Starr had been dressing behind the screen and her underthings and a checkered gingham dress lay on a chair. He went on drinking the water. It was the sharpness of the smoke which warned him the man still was behind the curtain.

It was the most difficult moment he'd ever lived through, but he managed to pull through it without giving himself away. There was no indication of haste in his movements when he replaced the dipper in the bucket. He felt cold; a deep challenging chill enveloped him. Although his nerves rebelled, he didn't answer the urge to lift his head and look at the curtain. He stood right where he was, with his back to the open front door, and his thoughts dashed around the cabin seeking more evidence of his visitor's presence in the house. Then he remembered something his eyes had observed and quickly his mind grasped the situation. His U. S. Mail satchel was open on the table—

THE CHILL got deeper and deeper, left him cold as a wind over frozen water. His heart sledged his chest and he could feel the reverberation of it in his arteries. He dispersed another impulse to move with lightning speed and grab his gun out of the holster on his thigh. He slowly raised his hand from the dipper, making this a natural movement, and he kept his head lowered. He took a casual side step and stopped two feet from the bench and directly behind a chair. This move put him in position to see the curtain by staring straight ahead of him. Still there was nothing hurried in his bearing. He brought his eyes down in a direct line with the fluttering blanket.

He rolled a cigarette, keeping his hands steady. He lit the paper he'd rolled around the dry tobacco and struck a match on his pants. Smoke came from his cupped hands and rolled in curving clouds from the glowing tip of his smoke. He inhaled deeply and exhaled deeply and, again, making his movement one of indifference he raised his eyes to the Indian curtain. There was nothing visible to show him there was a human being back there, stalking him. It developed into a test of patience, and Matt Timberlake remained stoic, not betraying his fear by moving a single muscle in his face.

He saw he couldn't get out of the direct area of that Indian blanket, so he got ready, tensing his muscles. He moved carefully to the front door, not letting on he was listening for sounds behind him. He put his left hand in his pocket. The sunshine was strong in his eyes when he reached the doorway and stepped or sauntered out through it. He did not stop but walked on out until he was about forty feet from the house. He stooped and broke a stick between thumb and forefinger. He did not glance at the twig, but continued walking until he'd taken perhaps ten more steps before he stopped, swung round and, with the sun at his back, focused his eyes on the door of the cabin.

He was in time to see a shifting shadow, but there was nothing in the door when he'd gotten himself in position to meet any enemy that might be lurking there. Now he stalled, not caring who was in the house and willing to have a showdown with anyone who wanted any part of him. He had gone so far he couldn't turn back. Life to him wasn't worth much, but he'd always dreaded being shot in the back. He'd never resorted to the practice of shooting anyone in the back and he had allowed his mind to dwell on the fear of ambush so long it had become an obsession with him.

He had a few fleeting ideas about all he'd left behind him when he'd ridden his pinto out of Hayes. He'd lived a long time—too long. He wouldn't have gone back over his path through life for all the money possible to obtain by so doing. He wouldn't, in fact, care to live through the last two years of his life. The one outstanding moment was his meeting Zelda Ware. But he'd known from the beginning she hadn't been meant for him and he'd struggled against caring for her.

The bliss of those few hours was so remarkable he wished he could keep the thrill alive as long as he lived. Why worry about death now? Had he somehow managed to atone—to make up for his outlawry—by rendering humanity the good he had accomplished in Hayes? He had placed some of the west's worst renegades behind lock and key and they would never trouble the authorities again. He had stood by and seen the woman he might've loved shot to death by the man in the window, rather than add to his career of crime. But he hadn't submitted to that ordeal because of anything that concerned his own welfare. It had been for her own good, as he saw it.

HE TOOK another step, this time forward. He put his hands on his hips. He spread his legs apart, and then waited. A slight scurrying sound reached Matt Timberlake. Appearing around the doorsill was an-

other shadow which fell across the ground where the grass had been worn away. He knew the man in the cabin had moved closer to the door, but he couldn't see him. Only the intruder's long shadow stayed on the barren earth. The other man was waiting, too—matching patience with patience.

Timberlake shifted his weight from one foot to the other. He had to stall. He was out in the open and his antagonist had the advantage on his side. In a way he did. In another way he was at a marked disadvantage. The sun was in his eyes. Now he saw a faint spiral of smoke trailing from the cabin's door—betraying the man hidden in the room. Something about this carelessness brought a grim smile to his mouth. By now he knew he wasn't going to be ambushed. He tried to figger out who was in the house. Was it a member of the James gang who had ridden back to spend an hour or so in the shelter from the scalding heat? Or was it—Timberlake suddenly felt a nervousness such as he'd never experienced before. Was it Bob DeSpain, the United States Marshal?

The shadow moved again and stopped, being considerably longer than it had been a minute before. The seconds ticked away slowly, each one dragging wearily after the other and rattling a ball and chain. Timberlake let one hand drop to the butt of his gun and remain there. He was in direct line with the doorway and this, it occurred to him, made it necessary for the hidden imposition to move into sight before he'd become a sudden menace. His draw was blanked, otherwise, and he'd have to thrust his right hand around the door-sill before he could fire. If he showed himself Timberlake was ready. Both his hands were free and he could shoot with both Colts or with one, as the occasion would seem to demand. He was equally adept with either hand, having learned long ago to use both weapons accurately at the same time. When a board in the floor creaked out a warning, the outlaw fugitive reared up on his toes.

It had reached a point where death would leap from the smartest man's firearms at the slighest provaction. There would be, as Timberlake saw the matter, no bickering, no time wasted in useless argument. It had passed the stage where the concealed antagonist in this stalking contest could hop out into view and challenge the bandit to drop his weapon. So Timberlake stood there, tensed against the sheen of the sun and the silence and the uncertainty. His fast mind was on pins, so to speak, and his nerves jarked at him.

In one small interval the man behind the door-casing threw himself broadside into the opening. He came with both guns being hurled from his leather.

There was no fear in DeSpain's face. Timberlake could see it well enough to notice the lean line of his mouth and the narrowness of his eyes. His wide shoulders slumped forward as he pushed his guns away from him toward Matt Timberlake. He bent forward, his hat on the back of his blond head. He hung there in space for a minute, a picture for the bandit to photograph with his brain. Timberlake was given a fractional warning and the sun gleamed on the long barrels of his six-guns as he magically produced them from their sheaths.

The most apparent message in Bob DeSpain's face then was not one devoid of feeling; there was, perhaps, too much feeling expressed by the flashing eyes from under the brim of his pushed down hat. He had changed the angle of his Stetson and it shaded his eyes against the glare of the sun. It was somewhat like staring into a leaping roaring cauldron of fire. Maybe he was sorry fate had brought him up against the man who had done so much for the law, in this impending gun battle. Besides, he could not, surely, escape the fact that Matt Timberlake had saved him from being shot in the back.

Be that as it may there was no avoiding the settlement which hung in the balance. Who was the best man with his guns? The question

was in Matt Timberlake's mind and it was in Bob DeSpain's thoughts in this crucial moment. Each had often heard that the other was the best. Each had his siders, men who were willing to gamble huge sums on the outcome of such a duel. Here the odds were even. They were face to face and less than a split hair's second stood between them and the answer.

Bob DeSpain knew—had known in advance of his coming to this hideaway of Timberlake's inexorable determination to kill anyone who tried to capture him. He was a different person now; he was not the same man who had done so much to frustrate crime back in Hayes. He was not the gentleman who had worried about a girl's welfare or thought in deep sentimental mood of his past and what might have been. He was a man willing to kill in self defense. One who would not spare his antagonist if he won the flip of Fate's cards. Neither DeSpain nor Timberlake spoke a word. There was nothing to be gained by saying anything.

THERE WERE two shots, explosion merging with explosion. Timberlake's bullet tore out a piece of the door-casing on the right of DeSpain's head. His second slug, the one from the Colt in his left hand, raked DeSpain's right cheek. DeSpain's first shot tore the hat from Timberlake's head, and whistled through the sunbright space. His second bullet hit Timberlake with a short tearing sound. It knocked the breath from him and bent him over at the waist. He lowered his head until DeSpain was unable to see the transformed expression on the bandit's face. He saw Matt Timberlake become motionless and stand like a stone figure, his guns at his hips, the muzzles gradually lowering until they were pointed at the ground. Lazy spirals of smoke curved from the spouts.

The bandit now raised his head and looked at the man who had shot him. Blood formed a red flower on Timberlake's blue cotton shirt and the stem down his chest grew longer and longer. It was a pale blue shirt, almost white from many washings and only that morning Timberlake had put it on clean, and fresh from rough laundering. First the gun in his right hand dropped into the short grass at his feet. As he lunged forward he tossed the other gun away from him. Timberlake bent at the knees, and these hit the earth and, afterward, he just crumpled into a heap and lay on his right side, horribly twisted but not moving again.

Smoke sluggishly drifted around DeSpain and he caught the cloying stench of spent gunpowder. He did not feel exultant, and in his heart, for the first time, he felt a tremendous wave of respect for the dead—a man who had perished because he'd been an immeasurable instant slower with his guns.

DeSpain stood a minute with hat doffed peering down at the body of his victim. "I am sorry it had to be this way, Matt," he muttered hoarsely. "I never hated to face a man in a gunfight as much as I hated to draw on you. May your soul rest in peace—!"

He left the body in the cabin, pulled the curtain down and spread it over the corpse of Matt Timberlake. He walked out slowly and mounted his horse which was thethered to a tree in the cottonwood clump. He looked back at the door he'd closed and then glanced up at the sky. A long necked buzzard was circling low over the house. Bob DeSpain, United States Marshal, riding with inclined head, started for Hayes. He rode into the crimson sun, leading Tex, Matt Timberlake's pinto. Dust, still whirling, made a screen behind them. A crow cawcawed from a scant cottonwood. The silence of the vast prairie enveloped horses and rider and there was no blemish on the face of peace.

Matt Timberlake's little pinto looked back, dropped his head and nickered.

THE END

Scar Horn

by HOMER F. BORST

Lucky Jones didn't aim to see Old Scar Horn's head above any huntsman's fireplace . . .

EVEN AT the hundred yards across the canyon old Lucky Johns, the sheepherder, knew he could not miss. Yet he did not fire at the younger of the two battling bighorn rams over on Mule Shoe Bench. Scar Horn, the big ram with the crooked left horn that had been king of the bench for eight years, was still holding his own.

"I can't crease him yet, Scar Horn," Lucky finally muttered, lowering his carbine. "It just wouldn't be fair."

And so the age-long conflict continued. Scar Horn battling to retain his band of ewes and their lambs; the younger ram bent on wresting it from him. But it soon became plain that the years had taken their toll of Scar Horn's vigor. Once—twice—three times more—those express-train collisions. Then Scar Horn fell to his knees.

"Come on, you!" Lucky shouted.

Scar Horn arose slowly, but his tired legs could not obey the command of an unbroken spirit.

Suddenly the younger ram changed his position, and backing away lowered his head to deliver the mortal blow. A blow intended to catch Scar Horn just back of the shoulder and knock him from the bench into the canyon below.

"No you don't!" Lucky shouted, throwing the carbine to his shoulder. "The fight's done!"

The report of the carbine echoed and re-echoed from the mountain peaks like the erratic steps of a drunken giant. The younger ram spun to one side as the bullet ticked the top of his skull. For a full minute he swayed; balancing himself against the paralyzing effect of the leaden blow. Then as his brain cleared he trotted over to his newly acquired band of ewes.

For a time Scar Horn watched *his* ewes paying homage to their new master. Then realizing that his share of the battle was but the bitterness of defeat, he quietly disappeared among the pines.

As Lucky headed back for the sheep camp he pondered the pattern that nature had made. By nightfall Scar Horn would be high up among the crags; it always happened that way. There the defeated ram would find solace in being alone—balm, if one might call it such. Alone, with the quiet of his thoughts, he would spend the last of his time trying to remember only those days of when he had ruled supreme on the bench. Yet always there would be the shadow of—defeat...

THE SIGHT of the man beside the sheepwagon jarred Lucky back into reality. It wasn't often that men came that far up into the mountains. And if they did they were usually taciturn men who stopped only for something to eat. Then they would be gone.

"Chet Beeman!" Lucky exclaimed, almost beside himself with joy at the thought of having a lodge brother to visit with joy at the thought of having especially the Grand Exarch himself. "What are you doin' up here?"

Chet Beeman gripped Lucky's hand with the pledge of eternal brotherly love. "You old son-of-a-gun! It's certainly good to see you!" Then motioning for his companion to come forward he said, "I want you to meet a new member, Lem Purdy. Lems's *Act of Pilgrimage* is to assist me on this most auspicious occasion."

Lucky gave Lem the pledge grip.

"Welcome to the fold," he said. "An' may only the understandin' that's between brothers be yours."

Lem gulped. "Yah. I don't like bein' misunderstood. My mother-in-law says I ain't no good."

Then questions and answers flew thick and fast as Beeman brought Lucky up to date on all the happenings in town—especially as regards to the lodge.

"Well, now as for my being up here," Beeman said. "I want Scar Horn's head for the altar room. The ram's head we now have in there doesn't have the so-called pedigree that Scar Horn has. From what you've told us that old ram is about the most courageous animal in this whole range."

"But—but look," Lucky stammered, trying to make sense to Beeman's outrageous demand. "Scar Horn's my friend. An' this ain't the huntin' season, neither."

"What belongs to one lodge brother belongs to all," Beeman said. "Article nine makes that clear. And here's a special permit from the State Game and Fish Commission to make it legal," he added, handing Lucky a document replete with seals and signatures. Then with a broad wink, "The head of the commission is a lodge brother, you know."

Lucky returned the permit with a triumphant grin. "Your little scheme of sneakin' up on Scar Horn when you know he wouldn't leave his ewes an' new lambs ain't goin' to work."

Then he told of what had just happened.

Beeman's jaw set hard; the way Lucky had seen it in the lodge hall whenever a brother had dared defy the Grand Exarch. "If I've got to follow him to the top of every peak in the range I'll do it."

Lucky tried to make himself believe he wasn't particularly worried about Beeman's threat. But, on the otherhand, Beeman was known for his bulldog tenacity. He had set his heart upon becoming the Grand Exarch, and had reached his goal despite the opposition of several of the brothers.

"Might's well enjoy your little stay by eatin' supper with me," Lucky coldly invited. "A full stomach'll make you feel better on your ride back to town."

Instead of Beeman flying into a rage, as Lucky expected, he smiled disarmingly. "Let's have flapjacks, Never saw a brother that could make finer ones."

AFTER SUPPER Lem said, "Chet told me you'd tell how Scar Horn was such a great fighter."

"Glad to," Lucky said. Then leaning comfortably back against a wagon wheel he began, "Nine years ago, when I come up here, Scar Horn was just a young ram just gettin' his own band started. He got his leg busted, an' his left horn almost torn off his head in a fight with another ram that took his band away from him. Don't know why, but he come down to my camp, just as if he knew I could fix him up. I put splints on his leg. Then I got an idea about his horn. Instead of puttin' it back in place I tied it so it would point some up an' a little front. I guessed right. He sure learned how to use it to ewes.

"Well, we got to be pretty good friends. An' he stayed with me almost a year. Then every summer after that, when his lambs got fairly big, he'd come visitin' me for a spell." A cloud seemed to pass before Lucky's eyes. "I'm sure goin' to miss him—never thought a wild animal could mean so much to a man."

"Maybe he'll come down here again," Beeman said eagerly.

Lucky caught the tenseness in Beeman's voice, but shrugged it aside. "It won't do you no good wishin' that," he said. "Those old rams always hit for the peaks after they get licked."

LUCKY wasn't exactly certain about the hour when he awoke, except that the late moon indicated considerably after midnight. Hastily slipping from the wagon he listened. Something was disturbing the sheep all right, yet his collie still laid under the wagon contentedly thumping the ground with his tail.

"What's up?" Beeman asked, getting out of his bedroll.

"Can't say for sure," Lucky replied.

"Get your lantern," Beeman said, picking up his carbine. "Maybe it's a bobcat."

"Not likely," Lucky said. "Shep ain't that concerned."

Lucky lit the lantern. Holding it above his head he and Beeman headed for the disturbance. Lem trailed close behind.

On the far side of the flock Lucky stopped short. "Good Lord! It's Scar Horn!"

"Scar Horn!" Beeman whispered hoarsely. Then finally overcoming the buck fever that gripped him he lined his sights on the big ram.

"Hey!" Lucky yelled, at the same time knocking the barrel of Beeman's gun upward.

The report shattered the stillness of the night, and Scar Horn disappeared.

Beeman turned on Lucky. "You fool!" he raged. "You have violated the pledge—thwarted the good intentions of the Grand Exarch! I hereby excommunicate you from the Loyal Order of Bighorns!"

Lucky regarded him coolly. "A man's got to be pretty low to shoot a light-blinded animal. You can go to grass with your old lodge. I'll join the Elks—or even the Moose!"

"Lem!" Beeman ordered, "pack our things! We are leaving immediately!"

Back at the wagon Lem went to work. Beeman supervised his underling's awkward attempts to get the packs together. Then mounting their horses they rode out into the night.

BY DAWN, the still thoroughly wide awake Lucky was pretty much confused as to just what steps to take. But of two things he was certain. Beeman meant to get Scar Horn. And *he* meant to block anything Beeman would attempt.

After a hasty breakfast Lucky said, "Shep, you're keepin' the woolies today. Maybe lots of days. I don't know. But we can't let Beeman shoot Scar Horn, even if he is the Grand Exarch an' thinks he's smarter than bat fuzz."

Shep was one of those dogs that understood—Lucky had trained him well.

Lucky hadn't followed the trail very far before he knew that Beeman and Lem were heading for Mule Shoe Bench.

"Maybe Beeman's figurin' right," Lucky muttered to himself. "As long as Scar Horn didn't hit for the peaks it could mean he's got notions about headin' back for another fight."

Every few minutes Lucky would climb to vantage points and sweep the country ahead with his binoculars. But he soon realized he was wasting valuable time. The heavily timbered terrain made it impossible to pick out even anything as large as a man on a horse.

It was not until Lucky was within half a mile of the bench that he hunted out a high point. This time he didn't swing his binoculars in broad arcs. He studied every foot of the country adjacent to the bench.

"Good Lord!" Lucky exclaimed. "There he is—on that ledge above the bench! An' Lem's on the other one across the canyon!"

Beeman was perched on a hutting rock and searching the country around and below the bench with his binoculars. And from his methodical movements Lucky sensed that Beeman meant to stay on the job until he got Scar Horn.

From there Lucky knew he would be powerless to help Scar Horn should the big ram show up. And if he went straight towards Beeman the old Bighorn might come to the bench while he was going through the pines. Then Beeman would get him for sure.

Suddenly Lucky stiffened. No! It couldn't be! Not in broad daylight! Yet he'd seen those silently gliding gray forms too many times before to be mistaken. Gray wolves—Lord! They were making straight for the bench!

Lucky quickly swung his binoculars back to Beeman. But if Beeman had seen the approaching wolves he displayed no particular interest in them.

Praying for even a few minutes of grace Lucky headed for the bench. By angling slightly northward he could come in on a level with Beeman.

But part way Lucky stopped. Beeman might see him. That would never do. He had to maneuver himself into a more favorable position. Turning to his left Lucky climbed a good fifty yards up the steep slope. Then keeping to what scant coves he could find he made for an open place above the ledge.

Hardly had Lucky reached his position when he saw Beeman lay aside his binoculars and bring his carbine to his shoulder.

"Good Lord!" Lucky cried. "Scar Horn did come! Another hundred yards an' Beeman'll get him!"

IT WAS only for an instant that Lucky watched the old monarch coming up along the narrow end of the bench. But in that split time Lucky saw all the pages of drama to come. Scar Horn knew the wolves were coming; coming for the lambs and ewes he still considered as his own. Likewise he knew the young ram was still there. But the combination of the wolves and a hard battling ram was nothing compared with Beeman waiting for the chance to put a bullet through his heart.

Lucky felt his face drain white as he jacked a cartridge into the firing chamber of his carbine and lined his sights on the top of Beeman's head. He hated to crease a man to save an animal— Then a cold sweat broke out on him. Even if he did just crease Beeman, no jury would believe him. They'd call it attempted murder—

Easing down the hammer Lucky picked up a fist-sized stone and raced

(Continued On Page 95)

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Sucker's Set-Up

by WARD RAYMOND

It was just a waste of breath tryin' to tell Hossthief Jonas that he was ridin' fer a fall!

THAT THERE gent who wrote them words 'bout pride a'goin' before a fall wasn't night-ridin' on someone else's cow-critters when they handed out savvy. Like I tell Hossthief Jonas, that bird knew his pertaters and also his dogies, only I'd be spendin' my time better talkin' to the burros—which same is a somewhat slanderous thing to imply, mentionin' a smart animule like a burro and Hossthief in the same breath.

Nohow, Hossthief is ridin' high tonight at Smilin' Joe's redecorated *Alhambra*. Wherever he got that name is beyond me, and whoever done the decorations must have been chewin' loco weed like mad, but they do look sort of impressive in a gawdawful sort of way. Got fancy ironwork in the windows that look like some sort of lace-work the wimmin folks do fer no reason a-tall, sort of Spanish-lookin' doorways to the upstairs and the back and whatnot, and a big glass mirror with funny-lookin' curlecues all around it. And then there's pictures on the walls—only they'd make you think you was already half-stewed before you arrived at the bar.

Could be that they was made to drive the customers to drink; I dunno. Instead of undressed gals, like you see on the walls of any respectable saloon, there's the gol-dangedest collections of lines and colors. Smilin' Joe says they're simple drawings or somethin' like that.

Nohow, me and Hossthief have done pretty fair in the past month, so we're in fer a bit of excitement at Smilin' Joe's wheel, which we hear from them as knows is on the level, and Hossthief swears he has figgered hisself a system of bettin' which is bound to double our earnin's. Havin' heard Hossthief talk this way before, and havin' been around more'n a few years, I doubt this, but if he wants to throw away his poke, that's his business, I reckon.

Me, I figgers I'm goin' to pay good dust fer a bit of entertainment, and while it ain't impossible that I might come out ahead, it's onlikely: I planks down my chips on what looks good, and lets it go at that. Just fer the hell of it, I lays a chip on number 13 each time, while scatterin' the other bets around, and after awhile 13 comes up. This momentarily makes me feel good, until I calculate a bit and realize that I lost about three times that much before my number come up, not to count minor wins or even-draws on red or black, even and odd, and so forth.

Hossthief planks one white chip down split between 11-14, another between 22-25, and a third between 30-36; well, them odds pay seventeen to one, if any of the numbers come up. Then he whispers to me that he's just usin' this as a stall; this ain't his real system. Finally, 22 comes up, and he gets back some of the chips he's lost; he shifts the bet to one side, still halvin' it on 11. Then, suddenly he takes a stack of chips and puts them solid on red, and red wins. Near's I can make out, he comes back ahead on that one. I try to foller what he's doin' but it don't make no sense to me. Later on, he places another big stack on black, and wins again.

"Better cash in," I advises him, but who ever advised Hossthief Jonas of anythin'? "What is this here system of yourn?" The noise

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around us is loud enough so's we can whisper without bein' overheard.

"I just watches that wheel, waits fer red or black to come up three times in a row, then bets my stack on the opposite number. It's sure fire."

I look at him then shake my head. "Well, you seen fer yerself, didn't you?" he demands.

I says nothin', and wait until black comes up three times; Hossthief puts his whole load on red this time, and the tinhorn rakes it in as black shows for the fourth time. Any fool but Hossthief knows that red or black can come up a dozen times in a row, even on a straight wheel.

HOSSTHIEF looks so all-fired despondent that I takes him over to the bar fer a drink. Smilin' Joe has got hisself a real fancy bartender from the East, and the gent is impressin' the local trade with peculiar concoctions he calls caulktails or somethin' like that. I tried one onct...

"Yep," we hear Smilin' Joe say, "this here bar-dawg knows his stuff. He can mix any kind of drink anyone ever heered of. Why, I'd be ready to make a standin' offer of two hundred bucks to any man who can call fer a drink that this bar-dawg cain't mix."

Hossthief walks over to Smilin' Joe and inquires if'n he has overheard keerect. Joe says, sure; so I find myself payin' fer the drinks while Hossthief bellies up to the bar and starts reelin' off a list of intoxicatin' mixes. Well, I've paid fer about twenty bucks worth—some of these is expensive—and the bar-keep ain't had ter bat an eyelash; by now, the other customers is crowdin' around us, and I don't see how Smilin' Joe can loose nohow, seein' as the others is callin' fer some of the same on most of the drinks Hossthief names.

He tosses off a mixture of gin, beer and molasses, then fixes his eye on the bar-dawg and says, "Well, I've been goin' easy on you; now let's see you make me some rumfustian."

(Continued On Page 90)

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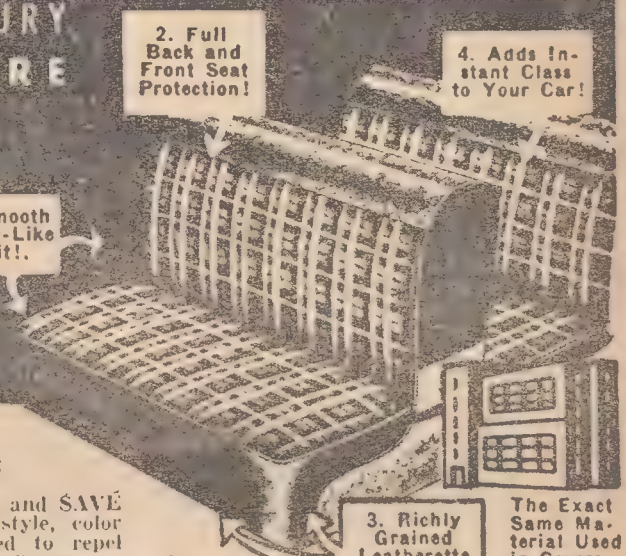

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WESTERN ACTION

(Continued From Page 88)

I looks sidewise at Hossthief. "Perfekly re-spectable drink; my grandpaw uster make it hisself."

The bartender shakes his head sadly. "You have me there, sir; I never heard of it." Smilin' Joe is ready to be tied, and somethin' tells me that this fancy bar-dawg will be back East pretty soon, if he survives. Joe takes some bills out of his pocket, then holds off. "Just a minute," he says. "Do you know how to make rumfustian?"

"Sure do," replies Hossthief.

Smilin' Joe puts the money back in his pocket. "Okay, suppose you get behind the bar and make it; we'll all have some."

Hossthief don't need a second invitation, and pretty soon, I see him gatherin' assorted materials together. One half pint of gin, a quart of beer, a bottle of sherry, the yolks of a dozen eggs, sugar and nutmeg. Then he stirs it together and pours it out. The dang stuff tastes like leather, downright unappetizing. I finish mine, then someone helps me up off'n the floor.

"Must of spilled some," I say.

"Downright powerful drink," Smilin' Joe allows. "Tell you what; if'n you can mix anything anyone calls for until three o'clock, I'll pay off double. Double or nothin', how's that?"

I lean against the bar to help Hossthief say "no". only the bar is somehow six-seven feet away, and by the time I've gotten to my feet, Hossthief has already accepted the bet.

Somehow, the time seems to move peculiar after that; but I notice that Hossthief is kept mighty busy; the imported bar-tender isn't in sight. Then I notice Smilin' Joe, who ain't smilin' at all now as the clock is movin' towards three, take someone aside and talk to them and I smell somethin' fishy comin' up.

"Jonas," says Smilin' Joe, "it ain't three yet, but I'll concede on that there bet; and I'll make it double or nothin' again on this here propo-sition. Jake here will mix drinks, and you drink 'em and tell him what he put in them."

I open my mouth but some per-

son's elbow is in the way and Hossthief has accepted that deal, too. Near's I can make out, he ain't entirely sober.

Jake shoves a glass full of liquid toward him; Hossthief takes a swig and says: "You got beer, redeye, rum, gin, sherry, and egg white in this."

Smilin' Joe blinks as Jake nods, then says, "Set 'em up." Hossthief is beginning to have a happy smile on what passes for a face with him. He tosses off the next one, and recites: "Rum, tequilla, beer, cawfee, molasses, and a dash o' mustard."

By now, I decides to get a comfortable seat so's I can watch just what Jake is doin' behind the bar. He's takin' longer and longer to mix them, now. Someone is a'goin' around to the tables and picking up the tailin's on the tables, bringing them back to Jake, but this don't phase Hossthief none. He even catches a bit of cigaret ash in one of them, that got in accidental-like.

Someone says, "Hell, Joe, he's got you beat; give him the eight-hundred and call it quits."

Others take it up, and it's plain to see that Smilin' Joe ain't goin' to be popular if'n he don't pay off. He near chokes tryin' to keep a friendly expression on his face.

"Tell you what—we'll try just one more."

"Sure," says Hossthief. "One more—you make it, I'll name it."

"I'll make it myself," says Smilin' Joe.

HE TAKES off his fancy coat and steps behind the bar, rollin' up his sleeves. Just what he's doin' is hard to tell, because with his girth, and those big hands, you can't tell whether he's actually pourin' from the bottles he takes down or not. Finally, he bends down low beneath the bar and we hear bottles movin' around there, and hear stuff bein' poured.

"No coal-oil," says Hossthief. "That ain't fair nohow; besides, it's bad fer the teeth."

"Nope," says Smilin' Joe, coming up with a full glass, "there ain't a speck o' coal-oil or nothin' else harm-

(Continued On Page 92)

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WESTERN ACTION

(Continued From Page 91)

ful in this here concoction."

He sets it down and Hossthief looks dubious. He picks it up like maybe it would explode in his face, smells it, and a bewildered expression passes over his face. "Now, sure I know what's in this," he mutters. He raises the glass to his lips, then sets it down.

"Ain't no pizen, now?"

"No pizen, on my word of honor" says Smilin' Joe gravely.

Hossthief looks downright sad as he takes a gulp of the stuff; he winces, puts the glass down, then suddenly he takes a coughin' fit. I jumps to my feet and somehow manages to draw my gun. "Lemme taste that," I says; "I wanta know what it is you give my pardner."

"Sure," says Smilin' Joe; "I'll even take some my ownself." He drinks some then hands the glass to me, and I follows suit. After they pick me off'n the floor again, I hear Hossthief sayin' sadly, "I dunno. I dunno what is is—but I'll bet it don't sell. You win."

He turns and shuffles sadly out of the place, while Smilin' Joe and the others burst into whoops of laughter.

Well, like this gent said, pride goes before a fall, and I sure tried to warn Hossthief often enough. But just the same, I think it was a lowdown trick to hand him pure, undiluted water.

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It had happened this way:

Down the main street of the untamed town strode Captain McCormick with Gonzaullus by his side. It was a nice warm day. Crowds of hard-faced men loafed in front of the saloons that lined the dusty thoroughfare.

Captain McCormick was eating an apple. He was minding his own business. Apparently he did not have a care in the world. Right in the center of the toughest district he reached the apple core.

(Continued On Page 94)

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WESTERN ACTION

(Continued From Page 93)

With a sweeping sidearm motion he tossed it into the air. His hand flashed to the gun in his right holster. The weapon spoke three times. Not only was the core cut squarely in two, but the core-halves were shattered to bits.

The captain slid the gun back into its holster and sauntered on.

Gonzaullus cocked one ear toward the rear. Footsteps were approaching. Soon the officers were overtaken by a man who had been pointed out as the leader of the gang they were trying to impress. "Captain," said this hard hombre in a respectful tone.

McCormick turned to face the bad man. "What is it?" he inquired, giving the newcomer a steely glare.

"I just wanted to make sure of something."

"What's on your mind?"

"Your gun—that shot— Would you mind lettin' me have a look at your weapon, just to settle a bet?"

"Sure, look all you want," replied McCormick.

He drew the gun from its holster, flipped open the cylinder and handed it to the bad actor. The latter looked the cylinder over very carefully. He saw three empty shells and the ugly snouts of three bullets. That was all he wanted to know. "That gun's loaded with ball, all right," the gang leader reported back to his pals on the sidewalk. Then he turned to McCormick. "Captain, I didn't know there was a man livin' who could shoot that good!"

As a matter of fact, no man can—no man ever could—not with solid ball.

Captain McCormick explained to local officers later: "I learned that trick years ago from a Wild West show performer. The first three of my shells that would come under the hammer were loaded with birdshot, the next three with ball. I had to shoot three times to make the exhibition effective."

As a matter of fact his first shot had really done the trick. The second and third were fired for the psychological effect they would have on the onlookers.

(Continued From Page 85)

towards the ledge. "Beeman!" he yelled. Then let go with all the force he could put behind the drive.

Beeman wheeled, tried to dodge the stone, but too late. It caught the Grand Ezarch square in the chest, knocking the carbine from his hands, and spinning him to one side. With a clatter the carbine fell to the bench below.

Then Lucky plunged on down the mountainside. He slipped over a rugged escarpment, landed on his feet, and grabbed Beeman just as he turned to go down after his carbine.

"I have a notion to knock hell out of you," Beeman said with that measured evenness that only an infuriated man can command.

"Three on one ain't fair," Lucky said. "The young ram alone is enough for Scar Horn. But there's wolves headed this way. An' you want to take advantage of that." He laid aside his carbine. "Go ahead and swing."

For a space Beeman stood coldly calculating the man before him. "You win this round," he conceded grimly.

The young ram, sensing man danger from the ledge above, began shoving his band towards the narrow end of the bench. It was the only avenue of escape through which the young lambs could be safely taken. Then he saw Scar Horn. Rearing up on his hind legs he twisted his body sidewise and thumped his front feet down sharply on the ground. It was a warning to Scar Horn that he would tolerate no encroachment upon his newly won domain.

Scar Horn saw and heard, then slowed his advance to cautious steps.

"Huh," Beeman grunted. "It looks like your old hero hasn't much fight left in him. To say the least I'm disappointed."

"He's thinkin' about the wolves," Lucky said. "If he an' the young ram get to fightin' it'll leave things wide open for the wolves."

Suddenly the younger ram lowered his head and charged. He fully intended to put a deciding *finis* to yesterday's battle with one terrific blow.

Instead of Scar Horn meeting the attack he neatly sidestepped to let the younger ram rush by. Then turn-

(Continued On Page 96)

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WESTERN ACTION

(Continued From Page 95)

ing he began backing towards the band of ewes.

"Not a bad maneuver," Beeman commented grudgingly. "That puts him in the favorable position of having the ewes to back him up. Moral support—if an animal can think in terms of such."

Too late, the younger man realized Scar Horn's trick. Then wheeling he rushed blindly at his old antagonist.

This time Scar Horn didn't evade the issue. Using his crooked left horn to its best advantage, Scar Horn caught the younger ram in the shoulder.

Instantly the younger ram regained his balance. Then backing away he came at the older ram again. Wiser, he obliqued his last three steps to catch the crooked horn against one of his own.

The impact brought both of the rams to their knees. In a rattle of dust-raising shale they were onto their feet and Scar Horn charged. But neither ram gained any advantage. Then they began circling; parrying for an opening that one or the other might give. In the excitement neither the men nor the battling rams saw the stealthy movement behind a close line of rocks. Until—

"Scar Horn!" Lucky screeched. "Look out from the side!"

LUCKY'S yell distracted the younger ram's distraction long enough for him to see their common enemies. Then wheeling he stood shoulder to shoulder with Scar Horn; blood allied to guard the ewes and lambs.

The half dozen wolves swiftly appraised the situation. Then defying nature's age-long teaching that the presence of man was dangerous to their well being, they began slinking in for the kill. Suddenly one of them crouched.

"God!" Beeman said tightly.

The crouching wolf inched forward, hesitated, then sprang.

Scar Horn's head came up, catching the shaggy beast on the point of his crooked left horn. Mingled with the thud of colliding bodies was an angry snarl.

That separated the defenders and gave the wolves the opening they

needed. Two of them shifted to places of vantage, then simultaneously they came at the younger ram from angled directions. Caught as he was, the younger ram could defend himself but from one side. Calmly singling out the largest one he met the attack half way.

Lucky reached for his carbine. Instead of pulling back the hammer, he flipped the lever downward to load the gun. But midway it stuck. He yanked it forth and back. Still it stuck. The unexploded cartridge he had intended for Beeman was jammed tight in the mechanism.

Beeman whirled on Lucky. "For Heaven's sake, man, get those wolves before they ruin Scar Horn's pelt!"

"Damn you and your precious pelt!" Lucky flared.

The second wolf, given such an opening, dashed in an got the young ram by the throat.

"Shoot!" Beeman yelled. "Just anything! Scare them away!"

Lucky never looked up. "The gun's jammed!"

Old Scar Horn backed his antagonist away with vicious thrusts. Then he made for the wolf that had the younger ram by the throat. He caught it just behind the front legs and toppled it from the edge of the battle ground into the canyon below. But in so doing he neglected his own defense. In a surprise spring another wolf landed on the big ram knocking him on the ground.

"Give me that gun!" Beeman yelled.

Lucky continued to yank at the lever.

With a powerful twist of his body Scar Horn scrambled free.

At the same instant another wolf darted past the rams and straight for the ewes. Scar Horn wheeled and gave chase, but it was not until he had almost spanned the bench that Scar Horn managed to catch up and hook his crooked horn into the invader's hind quarters. Wheeling about it began harrying the big ram until an approaching wolf could make a successful attack from the rear. An attack that would mean Scar Horn's death.

All the time Lucky was working frantically with his carbine. Then somehow he managed to eject the jammed cartridge. With a flip of his fingers he loaded the gun and fired. The world before Scar Horn slumped. And before it had hit the ground Lucky nailed the one at Scar Horn's rear. The others fled.

Without a word the men slid from the ledge to the bench below.

The young ram lay on its side, its eyes pleading for them to do what they could for it.

Lucky knelt beside the young ram and examined the throat wound. At last he got up.

"He's done for," Lucky said simply. "Like he should, he went down fightin'."

Beeman smiled at Lucky. "What a gallant old ram; so much like the man who befriended him."

Suddenly an idea came to Lucky. "That young ram—he was a fighter—a real one. *His* head would go good in the altar room."

Beeman nodded gravely. "A worthy suggestion. And I'll accept it, if when you come down next fall, you'll act as Senior Herder as his head is placed above the altar beside the Star of Guidance."

Lucky took a quick step forward. "You mean I'm still a brother?"

Beeman gave Lucky the grip of eternal brotherly love. "I hereby invoke article sixteen. You were only temporarily suspended. You are now returned to the fold as a brother in good standing."

Lucky looked past Beeman at Scar Horn, once more monarch of Mule Shoe Bench.

"I don't know whether it's Scar Horn or me that's the happiest," Lucky said. "But whichever one, it couldn't be better."

THE END

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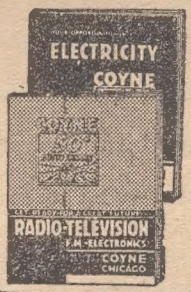

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